THE HINDOO PATRIOT

With which is incorporated the Indian Field.

PUBLISHED EVERY MONDAY.

VOLUME XXX. NUMBER 19. | CALCUTTA:—MONDAY, MAY 7, 1883. | *Per Annum in Advance.* TOWN.....11-8 MOFUSSIL.....13-4

THE WEEK.

MONDAY, 30TH APRIL.

WE ARE glad to observe that the voice that was raised in the Bengal Legislative Council against the taxing of unfermented tari or *Khejur Rus* was not raised in vain. Mr. Secretary Macaulay in reply to a representation of the East Bengal Landholders' Association wrote:

"In reply, I am to state for the information of the Association that the Lieutenant-Governor has issued the necessary instructions for the exemption of unfermented Tari from the provisions of the excise law throughout the Dacca Division.

Why should not the benefit of this exemption be extended to other districts?

THE PIONEER gives by no means a "good character" to Mr. Morris, the retired Chief Commissioner of the Central Provinces. Our contemporary says:

Standing in awe of the paramount powers, he was apt to adopt their measures, even in cases in which there was no good reason for believing that his individual opinion was opposed to them with an unquestioning deference that his enemies called servile; whilst there were many who held his rigid exaction of discipline among his subordinates to be the promptings of a disposition to oppress the weak. In no sense was Mr. Morris a strong man, but he possessed, in, for him, a most fortunate degree, those intuitive perceptions of an intellectually feeble one which led him to the selection of able advisers. That was the dominating feature of his career. Messrs. Bernard and Elliott, Grant and John Neill, were in turn his secretaries. By such men as these the Central Provinces were really administered while Mr. Morris only seemed to rule. In like manner and hardly in less degree has Mr. Morris been behoven to the brains of his subordinates for the position of an administrator of the first rank which the Government is pleased to assign to him, and to these official circumstances do we mainly attribute the past 13 years' progressive improvement in the administrative machinery, and economic condition of the Central Provinces. In India especially personal attributes are an essential element of public reputation, and men are remembered when measures are forgotten. We began with a passing allusion to Mr. Morris's individual failings, and so, distasteful though the task is, we must end. In a few short months the official identity of the departed Chief Commissioner will be merged in that of his successor; but Morris's unbecoming thrift, his sordid neglect of the gracious rites of hospitality which are at once the duty and the privilege of high place, and worse, will pass into a tradition.

If these strictures had appeared in a native paper, we are almost sure that they would have been attributed to the anti-English feeling of the native. But we are glad that the *Pioneer* has spoken out.

THE ABOVE PAPER in discussing the necessity of a representative legislative body in India shirks the real question—*viz.*, as to how the people are to be represented. Our own opinion is that Lord Ripon's reform ought to have commenced from the top. The Legislative Council, ought to be reformed first. Our contemporary calls for a Local Council for the N. W. P. But are not the Legislative Councils on the present principle mere shams?

THE EGYPTIAN GOVERNMENT, acting upon a suggestion of Lord Dufferin, have resolved that all the monuments of ancient art existing in the country shall henceforth be considered national property.

THE PIONEER has received the following telegram regarding the silver duty levied in England:

The deputation which waited upon Mr. Childers on the 3rd of April to induce him to abolish the present duty of 1s. 6d per ounce upon silver cannot be said to have been encouraged for its pains. Mr. Childers was able, in reply to the argument that the duty restricted trade, to point to the fact that of late silver has fallen one shilling an ounce, with a decreasing sale. As to the proposition to levy a duty of 10 per-cent. on foreign watches and clocks to make up the deficiency of £100,000 created by the proposed abolition of the Silver Duty, he naturally thought that could not be asked seriously as the present is hardly the time to ask for the remission of such an important sum.

A CASE of some interest is about to be decided by an Australian Court, *viz.*, the existence or non-existence of Purgatory. It seems that a bequest of $7,000 has been made for Masses for the Souls in Purgatory, and the executor refuses to fulfil that part of the will until he is himself satisfied that there is a Purgatory.

TUESDAY, 1ST MAY.

SO ENGLAND is going to introduce the appeal system of India. The Government have introduced their Court of Criminal Appeal Bill. The object of this measure is to give the right of appeal in criminal cases, similar to the practice adopted in most other countries. At the present moment there is a Court in existence—the Court of Crown Cases reserved—for dealing with questions of criminal law upon appeal. It is now proposed to extend the area of appeal, and to grant to all cases of offence against person and property the same rights that exist in respect of matters of debt, and subjects of equity. It certainly seems hard that a man should be liable to imprisonment for a long term without right of appeal, while for a small debt of a few shillings he has the right of appealing through all the stages of jurisdiction up to the House of Lords.

THE MAIN FEATURES of Mr. Childers' Budget are these. He proposes to reduce the income-tax from sixpence half-penny to fivepence, the sum at which it stood previous to the Egyptian War, to devote £400,000 to the abolition of the Railway Passenger duty on all penny-trains, and to expend £170,000 in complying with a recently expressed wish of the House of reducing the cost of inland telegrams. The estimated revenue for 1883-84 is £88,480,000 and the expenditure £85,789,000.

A SCHEME has been laid before the Government of India for the colonization of the Tavoy district of British Burmah by a corporate body on the lines of the North Borneo Company, the entire tract to be taken up for planting operations on an extensive scale. It is understood that the Government of India are willing to give every encouragement to legitimate private enterprise, compatible with State policy and the welfare of the Burmese province. The matter has been referred to the Rangoon Government for consideration. The scheme is promoted by Mr. W. B. Hudson, Secretary to the Planters' Association, and other gentlemen of Behar.

THE BOMBAY GOVERNMENT'S Resolution on the Junaghur massacre is out. The Durbar are acquitted of serious blame, but Government regret that sufficient precautions were not taken to restrain the violence of the Arab, Mekrani, and Pathan mercenaries who mainly form the police force.

THE HON. MR. RAVENSCROFT dissents from the conclusions at which the other members of the Bombay Council have arrived on the above subject. He records in a separate minute his opinion that the Political Officers were to blame for not taking greater precautions to prevent slaughter, and that the Newab and his chief officers should be punished for their "brutality and want of common decency, calling for exemplary reprobation," the Raja by being deprived of some of the guns of his salute and the Dewan and Chief of Police by dismissal from office.

A COMMISSION will be appointed by the Durbar with a British Officer as President, to inquire thoroughly into the matter in dispute between the State Government and the Maiyas.

THE NIZAM of Hyderabad has sanctioned the handing over of the existing railway in the State to an English company, and the carrying out of the proposed extension, on the terms arranged by Mr. Abdul Hak during his late visit to England.

THE RANGOON RICE trade is reported to be in a bad way, the cultivators having combined to hold back their crops, so that the merchants cannot get cargoes.

WEDNESDAY, 2ND MAY.

CONSIDERABLE uneasiness has been caused by the presence on the outskirts of Bombay of large gangs of nomad Afghans or Beluchis, part of the same lawless tribes, apparently, who created a sensation at Bhosawul the other day, and necessitated the calling out of the Railway Volunteers to prevent a threatened disturbance.

THE TOTAL enrolled strength of the Indian Volunteer Force on the 1st March last was 12,094, of whom 9,439 are returned as efficient for the previous year.

THE FOLLOWING is the verdict returned by the Colombo coroner's jury in the inquiry into the death of a man killed in the recent riot between Buddhists and Roman Catholics:—"We are of opinion that the police did not take the necessary precautions in time to quell any disturbance that might arise. We are of opinion that the deceased Juan Naide was assaulted and cruelly murdered on Sunday, the 25th ultimo, during the riots which took place on that day, by three or more persons unknown." The Governor of Ceylon has decided upon appointing a Commission to inquire into the origin of the riot and all the circumstances connected with it. The *Observer* states that the Commission will be composed of Lieut. Col. Duncan, Mr. Saunders, and Mr. J. H. De Saram, District Judge of Kurnegalle.

THE INDIAN WITNESS thus comments on the vote of the House of Commons for the repeal of the Contagious Diseases Act:

The vote in the House of Commons condemning the "Contagious Diseases Act" is a most significant and hopeful sign of the times. We know very well that much can be said in defence of the Act, but after all has been said the undoubted fact remains that it is utterly repulsive to the best moral instincts, that it is brutalizing in its influence on society, that it degrades one sex while it condones vice in the other, and that it opens a door to deplorable abuses. Whatever needs to be done, this iniquitous Act is not the measure called for.

We entirely concur.

THE RUSSIANS have completed railway communication between the Black Sea and the Caspian Sea.

AN ACT has been passed at Washington to prevent the importation of adulterated tea into the United States.

JOHN HAMPDEN'S sword, worn by him during the Civil War, was sold in London on the 20th March, for fifty guineas.

THURSDAY, 3RD MAY.

WE NOTICED sometime ago a case of adultery which had been instituted at Chittagong and which has been since tried and disposed of. We give below some extracts from the proceedings of the case, with which we have been furnished by a correspondent. The Sessions Judge remarks:

Of the witnesses for the prosecution the only one at all entitled to belief was Babu Sib Chunder Nag, Assistant to the Commissioner. I thought he was not quite candid perhaps on one or two points. But there was nothing in that evidence which necessarily implied any guilt on the part of the accused.

The Judge goes on:

As for the other witnesses neither the assessors nor myself had the slightest confidence in the truth of their statements. As regards the complainant himself he has offered us so much falsehood that it is quite impossible for the court to attach any weight to his testimony or to that of his witnesses.

It may be here noticed that the other witnesses besides the Personal Assistant were: (1) Poorno Chunder Bannerjee, Mohurir, Chittagong Police office; (2) Taruck Nath Ganguly Canongoe, Tipperah; (3) Gour Mohun Roy, Head Constable. We could not believe that four Government servants as alleged had combined to ruin a fifth, but a few extracts from the Personal Assistant's depositions will throw a good deal of light on the subject. He said:

"I know Purno (witness) had been living in Kali Kumar's compound. It did not strike me as extraordinary that he should receive notice to quit.' "Thus it was simultaneously with the witness Purno's being turned out by the defendant that the complainant was seized with a fit of jealousy. It was Poorno who pressed the Personal Assistant to undertake the expedition and took so much interest in his going, he himself lagging behind."

Again:

There are two *dols* in Chittagong, the Bikrampurians and Chittagonians. By the Bikrampurians people from parts of several districts are generally understood. I do not consider myself the head of the Bikrampurians; my advice is asked in some matters but not in others. I do not know who is the head. I do not think that Kalikumar (Defendant) favours the Chittagonians against the Bikrampurians. He takes both the parties equally into his office. Umakant Das was Personal Assistant before me and before him Nobin Chunder Sen, a Chittagong man, was. I never advised Nobin Chundra to send any letter to Kali Shunker Sen. I did not see the letter till after it was sent. I have never sent any anonymous letter. There was a Record-keeper in our office, called Prosunno Kumar Das, who is now a pleader. I never told him to say that a bundle containing an anonymous petition against Issenchunder Nundy, late collectorate Sheristadar, a Chittagong man, was mislaid. I never took such a bundle out of the office or hid it in the office.

Further:

"There are four of my nephews in employment in the Division. There are two of them here. Chunderkant Nag, a clerk in the Commissioner's office, and Purnochunder Nag, a Sub-Deputy Collector. In Noakhally Kalikumar Nag has been accountant for nearly 25 years and in Tipperah Hari Hari Nag is Court of Wards clerk. Tarucknath Bose is a distant relation. He has been appointed Sub-Deputy Collector by the Commissioner.

Q.—Have you made any statement to the Commissioner against Romeshchunder Das (another Chittagong man) while he was Sub-Deputy Collector of Ranjan?

(Witness refused to answer on the ground of official privilege) Sasibhoosun Talukdar is a friend of mine. He was appointed instead of Romesh Das, I know Tarukchunder Gangu'i, a witness, very well. He comes from my district.

Q.—Did you recommend him to the Commissioner for the Head Clerkship of the Settlement Office?

A.—I claim the protection of the Court. I think I ought not to answer this question as it relates to a matter in my office.

Ordered that the witness will answer the question.

A.—I did put up his name as the man whom it would be right to appoint. Romesh was the head clerk in that office for three years.

Q.—Did you advise Mr. Lowis not to continue the appointment for the 2nd time of Romeshchunder. Witness claims privilege.

A.—I have known Kailashchunder Pal since last Puja. He had a letter for me. He came about 18 months after Romesh was removed. Shoshi I think acted meanwhile.

Q.—Did you tell Mr. Lowis that you suspected Kalikumar of writing to the papers against officials?

A.—No—I said that people suspected him, and others of writing certain articles. I had no grounds for suspecting him myself, nor did I refer to him as suspected by others except in answer to questions put to me.

Q.—Are you interested in the prosecution?

A.—Not in the least.

Q.—Do you wish that Kalikumar should be convicted?

A.—No, not in the least, I wish the jails should be empty.

Q.—Was the complainant living in the same *Basha* with you when case was going on in the Magistrate's Court?

A.—I must explain. My [home being burnt, [Babu Gour Mohun Bysack lent me lodgings and the same Babu lent lodging to complainant. Complainant is a friend of mine.

Q.—Were you in trouble at Dacca?

A.—I do not understand. Please explain. After a minute or two "there was a case against me."

Q.—A criminal case?

A.—Yes, for thrashing a man.

Q.—You affirm that you did not understand the allusion?

A.—No, the word "trouble" was too general.

Q.—Do you remember Dwarkanath (complainant) took any part in that case?

A.—I do not remember. "But before the Magistrate—I think the complainant stood with me when I was being identified" "I was once going with Annada Babu and a Mr. Moreno in a boat.

Q.—Did you on that occasion make a remark to the effect—"why does not Kalikumar settle with Dwari?"

A.—Yes, I think I did, I think I did say that if Kalikumar gave complainant some money—he being a poor man, might drop the case. I do not remember whether Annoda asked me why Dwari brought such a scandalous case.

Q.—Could you have said as your answer—it is for the sake of money or words to that effect?

A.—No, I may have said generally *Taku holay kina hai.*

Q.—Did you tell Annoda Babu this—you are a friend of Kalikumar's, persuade him to settle the case?

A.—I did say so. I meant by settlement the payment of money Dwari had raised funds from me leaving some valuables. I have read my deposition made before Mr. MacGuire, or rather a copy of it, which Dwari Babu furnished me *at my request.*

Q.—What was your object?

A.—Simply to see it.

Q.—Out of curiousity?

A.—Yes.

The accused without being called upon to defend himself was honourably acquitted. But that is not a matter of much consequence. What immediately concerns the public is the way in which public business is carried on at Chittagong as disclosed by the statements of the Personal Assistant. We invite the attention of Government to the above extracts and call for a thorough enquiry into the matter.

FRIDAY, 4TH MAY.

THE MORTUARY RETURN of the Health-Officer, for the month of March last gives 618 births and 1057 deaths in Calcutta. There is an increase of both births and deaths over those of the preceding month. The births exceeded by 26 and the deaths by 108. The proportion of male to female deaths was 135 to 100. The excess of deaths was chiefly due to the increase of cholera, fever, small-pox and bowel complaints.

WE HAVE RECEIVED a numerously signed representation from a portion of the sub-division of Narrail in the Jessore District. The writers complain of the oppressions and injuries they suffer at the hands of the Manager of the Nohata concern. If the facts stated be correct the aggrieved should make a representation to the proper authorities.

PRANI BYABAHAR or a treatise on the proper treatment of the domestic animals of Bengal is the title of an elementary book in Bengali lately produced by Babu Nokur Chunder Biswas, a teacher of the Government Model School, Calcutta. The writer's object is chiefly to impress upon the young learners the necessity of showing kind consideration in the treatment of domestic animals and in this he has succeeded by giving interesting anecdotes of animals.

A CORRESPONDENT suggests that in order to improve the working of the Calcutta Canals the Executive Engineer of the Circular and Eastern Canals Division ought to be the toll collector and supervisor of the Calcutta Canals as well as engineer. The Inspectors, Darogahs and Mohurers and the Collector and Supervisor of tolls should be placed under his orders. The officer in charge of the Lock Gates should have some professional knowledge to enable them to manage the gates skillfully. None but Public Works Department subordinates, our correspondent holds should be appointed Inspectors.

OUR KRISHNUGHUR correspondent says that there is circumlocution in the Bengal Office in the disposal of applications for leave:

The officiating Judge of the local Court of Small Causes felt so ill that he was peremptorily ordered by the Doctors to seek immediate rest in a cooler climate. He accordingly applied for leave on the 31st March last. Receiving no reply within a reasonable time, he took leave in anticipation of sanction. Week after week elapsed and no *locum tenens* was appointed. Now as a matter of course the files of the Small Cause Courts of Ranaghat, Krishnaggur and Bongong shewed an accumulation of 2100 cases. To-day (30th April) the new Judge takes his seat. Now day after day the poor suitors will have to attend the Court with no better order for them than to hear that their cases have been postponed *sine die.*

WE HAVE received a copy of some laudatory Sanskrit verses which the Pundits of Novadipa have composed in honor of Mr. Rivers Thompson's visit to that place.

WE ARE indebted to the Press Commissioner for a copy of the correspondence on the production of sugar from Sorgho. Sorgho is produced from amber cane and the experiments referred to in the correspondence were made with the produce of three varieties of Amber-Minesota amber cane, amber cane or red sorghum, and black sorghum, which grow well on high and dry land.

REFERRING to the agitation on the present Rent Bill a correspondent asks solution of the following rent problems:

(1) In consequence of certain malgoojars being in arrears the tenures are purchased by the landlords and it becomes necessary to resettle the lands with the under-tenants or korfas. The latter used to pay four annas a rupee as malikana in addition to the usual rent per biggha. Are the landlords under the present circumstances to be looked upon as malgoojars or tenure-holders? If the ryots object to pay malikana to the landlords who are to be considered *defacto* tenure-holders?

(2) Suppose there was no uniformity in the rate of rent in one village when under the possession of the tenure holder, though the advantages were equal. The reason of this diversity of rate being that some of the tenure-holders had made direct settlement with the zemindars and some had not. Now are not the ryots bound to pay the same rate of rent in one village when the productive powers of the soil are the same?

(3) When the lands of a village become so improved as to admit of yearly cultivation, will not the zemindars be entitled to fair and equitable rents after one year? Or will the ryots continue to pay at the rate of four to eight annas a bigha as they did when the lands were marshy and did not admit of yearly cultivation?

(3) If a zemindar improves the productive power of a village by the excavation of canals and the ryot derives four-fold crops from a land which yielded before one-fold. Will this give the zemindar claim to increased rents?

SATURDAY, 5TH MAY.

THE INDIAN MIRROR publishes the following opinion from a veteran English writer on Mr. Lalmohun Ghose's speech at Dacca:

I have only just read Lalmohun's speech, and it is impossible for me to tell you how highly I think of it. I do not regret its vehemence for a moment. Branson richly deserved the castigation, and it would result in nothing but mischief if your countrymen were not to resent promptly and in fitting terms these vile explosions of race-hatred. Their guilt in my eyes is very great. But what are we to say of any Government, knowing the latent existence of this insanity in the European community (for I look upon it as a real madness) throwing a measure of this kind carelessly upon the table of the Legislative Council, without the slightest attempt to prepare the Chambers of Commerce for it, or disarm their hostility by the courtesy of consulting them? It is like the keeper of an insane patient deliberately or carelessly awakening a paroxysm of his disease by probing him in the direction of his hallucinations. Deeply to be regretted as these tempests are, your countrymen cannot afford, I am sorry to say, to let them expend themselves unchecked. It would stereotype the present state of matters, if you quailed before these explosions, and did not boldly face them. While never provoking these quarrels, but good-humouredly striving to prevent them, you must bear yourselves properly when, in spite of all care, you get involved in them. I do not regret a word, I think, in Lalmohun's speech. It was necessary to strike back as hard as you could, and it is a reply only to a foul blow. I wish I could believe that Mr. Branson's vituperation was really unpremeditated. Perhaps it was. But whether it was or not, the offence was as dire as it well could be, and the only excuse for it is that it was a *real* madness that it gave expression to!

We think we trace an old famliar hand in the above.

WE REGRET to announce the death of a first class native musician, Babu Judunath Bhuttacharjee of Bishenpore. A comtemporary says: "Though born in humble life he was picked up by the Maharaja of Tipperah, under whose fostering care his musical talents rapidly developed. He invented many tunes of exquisite sweetness, and his musical composition in honor of Beerchander, Maharaja of Tipperah, remind one of the days of Akbar and Tansen." We are sorry to learn that he has left his family in great poverty.

WE MAKE the following extract from the Resolution of the Government of Bengal on the subject of competitive examination for the Subordinate Executive Service:

In paragraph 6 of the Resolution cited above, it is stated that the examination to be held in 1884 will be restricted (1) to those candidates for employment in the Subordinate Executive Service whose names are now entered in the Government list of candidates eligible for employment as Deputy Magistrates and Deputy Collectors who may not have been provided with appointments during the current year (1883), and (2) to officers in the first and second grades of Sub-Deputy Collectors. The examination of 1884 will thus differ in character to some extent from the examination which will be held in 1885 and subsequent years, inasmuch as it will not be an open competition, but will be limited to certain individuals who may be thought to have some claim upon the consideration of Government. Under these circumstances it will not be possible at this examination to enforce the test of the Entrance Examination of the Calcutta University, which candidates in future years will be required to have passed before they are permitted to compete. But in order to ensure that the candidates at the examination of 1884 are possessed of fairly good English education the test to be applied should in the Lieutenant Governor's opinion, be a somewhat strict one. Full particulars regarding the examination to be held in 1885 and subsequent years will hereafter be published. In the meanwhile the Lieutenant-Governor directs that the examination of 1884 shall be held on the 14th, 15th and 16th, of January."

AN OFFICIAL PAPER just published shews that the charge that the Bengalis are unduly favoured in Behar is wholly groundless. From a letter from the Commissioner of Patna to the Government of Bengal, Appointment Department, we find that so many as 457 out of 489 appointments which fell vacant during the year have been given to Beharis and only 32 to Bengalis. The reaction has rather been unjust to the Bengalis. Even domiciled Bengalis in Behar are shut out because they are Bengalis.

WE HAVE received the first number of a series of Hindu Sacred Pictures prepared and published by the Calcutta Art Studio. It contains the picture of Chaitanya Sankirtan or procession of Chaitanya held at Navadipa. The specimen before us is an appreciable scene and presents it in an attractive form. It is quite natural and at the same time tasteful. The production does great credit to the Studio.

A CORRESPONDENT notices that in the revised travelling allowances code which came into force from the 1st May no provision has been made for tentage to sub-overseers, though they are often sent to survey hills and jungles in different places where no shelter is available for protection from rain or from the attacks of wild animals at night.

THERE WERE 300 deaths in Calcutta during the week ending 28th April, of which 136 were from cholera, 1 from small-pox, 57 from fevers, 31 from bowel-complaints, 3 from accidents, 12 from tetanus and the rest from other causes. Infant mortality was 47. Among non-Asiatics and mixed races the deaths were 5. The average of daily mortality was 42·8.

A TRULY good man, one as able in the discharge of his official duties, as irreproachable in character and commendable for his practical virtues, has just left the Accountant General's office on good service pension—we mean Babu Issan Chunder Mookerjea. His office-mates met and presented him a valedictory address and honored him with many simple tokens of regard and affection. Mr. Cook, the Deputy Accountant General, honored the occasion with his presence. The parting scene was painful to all present.

WE ARD glad to observe that the Bengali Translation of the Bengal Tenancy Bill has been published in the Government *Gazette* for the 24th ultimo. The Translation Department deserves great credit for the despatch with which it has executed this work.

WE TAKE the following telegrams from the morning papers:

London, April 30.—A meeting of the Indian Society, under the presidency of Raja Rampal Sing, has been held here in support of Mr. Ilbert's Jurisdiction Bill. A letter was read from Mr. John Bright, in which he expressed a hope that the Indian Government would maintain a firm attitude in connection with the Bill.

May 1.—Mr. Trevelyan, replying to a question in the House of Commons last night, said that a widespread conspiracy to commit murders had been discovered in County Clare, but that he entertained hopes that the Police authorities were in a position to unmask the conspiracy. Numerous arrests in connexion therewith have already been made.

2.—Mr. Cross, replying to a question in the House of Commons, said it was impossible at present to strictly define how to give effect to the policy of the Indian Government in Burma, and that it must be left to the discretion of the Indian Government to act as circumstances might require. Owing to the slow progress of the Affirmation Bill, Mr. Gladstone moved, last night, that it should take precedence. The motion was adopted. Mr. Gladstone, replying to a question, said it had been decided to commute the annuities of Lords Wolseley and Alcester to a lump sum. The Whitsun recess will be from May 11 to May 21. The Prince of Wales will lay the foundation stone of the Indian Institute at Oxford to-day. Replying to an address in connexion therewith, His Royal Highness expressed his conviction that the institute would be of great use to his Indian fellow-countrymen, and would prove our interest in their educational improvement.

4.—The House of Commons last night threw out the Affirmation Bill by 292 against 229 votes. The defeat of the Government were entirely unexpected.

WE HAVE to acknowledge with thanks the receipt of the under-mentioned publications and periodicals:—1. Report on Judicial Criminal Administration of the Central Provinces for 1882. 2. Accounts of the External Land Trade of British India for nine months, April to December 1882. 3. Proceedings of the Legislative Council of India for 9th 12th and 13th March 1883. 4. Trade and Navigation Accounts for March 1883 and the 12 months from 1st April 1882 to 31st March 1883. 5. The Voice of India for April, 1883. 6. An Official Account

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of the Jeypore Industrial Exhibition of 1883 with reports of the Jurors. 7. Journal of the Asitic Society of Bengal—Extra number to Part I for 1882. 8. Ditto Vol. III. Part II. No. 1, 1883. 9. Papers connected with the Second Anniversary of the Maharani's Caste Girls' School in Mysore. 10. A Compilation of Orders of the Government of India on the subject of the personal conduct of public officers in their relation to Government, to their subordinates and to others. By I. C. Bose M. A. and C. D. Pudumjee, B. A. (Bombay). 11. The Mahabharut, Adipurva, translated into English Prose. Published and distributed *gratis*. 12. Sakha—a Bengali monthly—for the Bengali new year—Vol. I, No. V. 13. Bharuti—a Bengali monthly, Vol. VII No. 1, for Baisakh 1290 B. E. 14. Kulpana—a Bengali monthly, Vol. VIII Nos. 3 and 4. 15. Chikitswa Chukra Sar or a compilation of the Ayurveda Hindu Medical Works with original Sanskrit notes and comments and Bengali translation—compiled and published by Dwarkanath Dutt, 16. Hindu Sacred Pictures Vol. I No. 1 containing Chaitanya Sankirtan Procession.

The Hindoo Patriot.

MONDAY, MAY 7, 1883.

A MEMORIAL PAR EXCELLENCE.

THE petition of the Independent Britons to the House of Commons against Mr. Ilbert's Bill is destined to remain a lasting memorial of their intolerance, race-pride, and antagonism of feeling to the children of the soil. However ably drawn, closely argued, skillfully displayed and temperately worded—it has not escaped the common lot of Indian petitions, long-windedness—it cannot be read by any right-minded man without feeling pain and sorrow. It shews that civilization and Christianity do not necessarily lead to righteousness of feeling and dealing. It has been the glorious policy of British rule in India to raise the Indian gradually to the high platform of the Englishman, to clothe the former with the rights of the latter, and to present the advanced Hindu to the civilized world as the product of British statesmanship in the East, but the end and aim of this memorial is to keep the natives of India down to their old level, to hold them at arm's length in all matters of social and political importance, to put them down with a strong hand, to repress their aspirations, and to deny them the rights and privileges of free men and free citizens. We are no less surprised than distressed when we contemplate how a body of men endowed with God's gifts, pretending to be well educated, and ere this professing the most generous friendship for the children of the soil, could bury in oblivion their noble instincts, sympathies, and traditions, and find pleasure in low bigotry, intolerant cant, and grovelling nonsense.

We have not space for a full review of this memorial *par excellence*. It consists of no less than 45 paras and covers two pages of the *Englishman*'s supplement. Those who have prepared it have left no art untried to make it effective, but we wish that they were absolutely correct in their facts and less specious in their logic. We propose to point out all this as we proceed. We will begin by saying that the very first paragraph of the memorial seeks to shew how high are the privileges of European British subjects in India, and how little are they affected by Mr. Ilbert's Bill. Thus the European Magistrate and Judge in the Mofusil can sentence an European British subject only to three months and one year's rigorous imprisonment respectively, whereas the same Judge can sentence an Indian offender, be he an Armenian, Parsi, Jew, Hindu or Mahomedan and even an European foreigner to sentence of death, and for all offences calling for higher sentence the European British subject must be tried by the High Court in the Presidency capitals. These privileges Mr. Ilbert's Bill does not take away; it simply seeks to confer the present limited Mofussil jurisdiction on selected native civilians. And yet the introduction of this Bill is reprobated as synonymous with the destruction of the Magna Charter rights of the Englishman. Then the memorialists endeavour to shew *that from 1861 to 1883 these rights had all* along been maintained by Parliament and Government, and that it is only now under the unpatriotic rule of Lord Ripon the Englishman is to be deprived of his old privileges—that the invidious distinction of race and religion in the constitution of a particular class of courts—the ordinary courts remain unaffected—for the trial of a British-born offender is to be swept away! This is one side of the shield, let us look to the other side. The question of subjecting the European British subject to the jurisdiction of the ordinary criminal courts of the country was discussed in 1857, when the Criminal Procedure Code prepared by the Indian Law Commission, was introduced into the Legislative Council by Mr. Peacock, the then Legal Member. He thus spoke on the subject:

"There was an Article in the Code which involved a question of considerable importance, and, would, no doubt, give rise to much conflict of opinion, and become the subject of future discussion. He alluded to Article 8 of Chapter I, which provided as follows:—

'No person whatever shall, by reason of place of birth, or by reason of descent, be in any criminal proceeding whatever excepted from the jurisdiction of any of the Criminal Courts.'

"This Article would invest the Courts of the country with jurisdiction over European British subjects. To him it appeared to be correct in principle, for he could not understand upon what ground it could be contended that any one class of persons should be exempt from the jurisdiction of those Courts. No Frenchman or German or Armenian or East Indian was exempt from their jurisdiction. European British subjects alone enjoyed that privilege; and the Council was aware that there were many cases in which, on account of the extreme inconvenience, expense, and delay which must necessarily be caused by committing defendants for trial to the Supreme Courts for offences committed in distant parts of the country, offenders were frequently allowed to go unpunished. The inconvenience was not confined to prosecutors. It extended also to the witnesses, who were, frequently, in no way interested in the proceedings.

"The Article to which he referred would bring an offender, whatever, his place of birth, or whatever his descent, under the jurisdiction of the Court within the local limits of which his offence might be committed."

Soon after came the Mutiny, which threw the country half a century back. Mr., now Sir, Barnes Peacock had become Chief Justice of the Supreme Court, and in 1859 in considering the Criminal Procedure Bill in Council he not only threw out the original section about non-exemption, but proposed that no native Magistrate shall be competent to hold a preliminary investigation into an offence committed by an European British subject. The last proposal led to a discussion of the general question of jurisdiction over European British subjects. Mr. Harrington, who opposed the motion, said:

Under Regulation XV. 1806 of the Bengal Code, a Zillah or City Magistrate, when he was a Justice of the Peace, might apprehend and commit European British subjects for trial before the Supreme Court, but when he was not a Justice of the Peace, the was required to send the accused to Her Majesty's Justices of the Peace at Calcutta, with a request that the necessary measures might be taken for bringing the accused to trial before the Supreme Court. The Bombay law was somewhat larger. That law spoke of the Magistrate generally, not of a Zillah or City Magistrate; and he believed he was right in stating that in Bombay many Natives held the appointment of Magistrate, while on this side of India Natives could be invested with the full powers of Magistrate. He thought that a reference to Act VII. of 1853 would afford them some assistance in determining the powers of Native Magistrates or of other Natives exercising the powers of Magistrate in respect to European British subjects. That Act was passed to extend the jurisdiction of Magistrates under the 52 Geo. III., c. 155 s. 105 in cases of assaults, forcible entries, and other injuries accompanied with force not being felonies, and under its provisions a Magistrate might try, apprehend, and punish European British subject, committing any of the offences just mentioned; but in order to show that the powers given by the Act were not intended to be vested in Covenanted Servants of the Government or European British subjects alone, the concluding Section distinctly said—

"The powers in such cases given to the Magistrate of the zillah or the district may be lawfully exercised by any Joint-Magistrate or other persons lawfully exercising the powers of a Magistrate in the case of any such offence as aforesaid, which may hereafter be committed within the district over which his authority extends."

Here the power of apprehending and punishing European British subjects in certain cases was expressly given, not to Magistrate and Joint-Magistrates only, but to any "other person lawfully exercising the powers of a Magistrate." The question then arose who were the persons other than Magistrates or Joint-Magistrate who could lawfully exercise the powers of Magistrate. To this question Act XV of 1843 furnished a ready answer in *so far as Natives* was concerned. That Act gave the Government the power to appoint Native Deputy Magistrates, and to invest them with the full powers of Magistrate, so that it was clear that Native Magistrates in cases of the nature of those just described had power not only to apprehend but to punish Europeans. Now, however, they were asked to prevent the Government from authorizing any but Covenanted Servants and European British subjects to apprehend a European British subject and that was his (Mr. Harrington's) objection to the proposed amendment.

These facts have been deliberately suppressed in the memorial. The memorialists state that no native in the Mofussil had ever been appointed a Justice of the Peace. We know for a fact that in times past several distinguished native Magistrates exercised the powers of Justice of the Peace; we believe our eminent friend Nawab Abdul Lutief is still a Bengal, Behar, and [illegible] Justice. Sir Barnes Peacock, while just[illegible] the change of his opinion in 1859 owing t[illegible] Mutiny, remarked:

The Honorable Member for Bengal had referred [illegible] Section of the Charter Act, which said that no Na[illegible] India was disqualified, as such, from holding any office, or employment under Government. The question related not to disqualification but to quali[illegible] A Native was not disqualified from becoming a Me[illegible] the Civil Service. He might go to England, pass [illegible] mination, and come out as a Civil Servant. He [illegible] disqualified from becoming a Civil Servant, or, whe[illegible] Servant, from being appointed a Justice of the Pe[illegible] he was not qualified to be a Justice of the Peace u[illegible] was a Covenanted Civil Servant. In England Bar[illegible] seven or ten years' standing were allowed to hold [illegible] offices. A Native of India was not disqualified to ho[illegible] offices, but he would not be qualified to hold them [illegible] not a Barrister of seven or ten years as the Act requi[illegible]

But the position is now reversed. Alt[illegible] the Native has qualified himself as a Cove[illegible] Civilian, still he is held disqualified to [illegible] a Justice of the Peace. He can be a [illegible] of the Peace in the Presidency Town, but he cannot be one in the Mofussil.

We have shewn above that the native Magistrates had jurisdiction, however limited, over European British subjects. We will ne[illegible] deavour to shew that the policy of the [illegible] Indian Government has been to foster [illegible] progressive legislation in this respect. [illegible] formerly the Mahomedan law was pra[illegible] the criminal law in the Mofusil, and Eng[illegible] very properly objected to be tried accord[illegible] that law. In 1800 the Indian Pena[illegible] was passed, and that Code which c[illegible] ed the essence of the criminal jurisprud[illegible] of the advanced countries of Europe and A[illegible] now became the crimin[illegible] law of the country. Then objection was taken to the Mofusil Courts, because they were courts of the Com[illegible] pany, and this objection was removed [illegible] the transfer of the Government of India fr[illegible] the East India Company to the Crown. Originally the Magistrate in the Mofussil had no juris[illegible] over European British subjects even in [illegible] preliminary investigations in criminal ma[illegible] but in 1806 Regulation XV. of the Bengal Code was passed, authorizing a zillah or city Magistrate when he was a Justice of the Peace to apprehend and commit European British subjects for trial before the Supreme Court in Calcutta. Then under Act of Parliament natives of India could not be appointed Justices of the Peace, who alone were competent to arrest and commit European British subjects for criminal offences, but in 1832 under the statutes 2 and 3 William IV. C. 117, native inhabitants of India were declared to be eligible to the Commission of the Peace in the Presidency towns of Calcutta, Madras and Bombay. Subsequently na[illegible]s of India were appointed Justices of the P[illegible] in the Mofussil. Then came Act VII. [illegible] which extended the jurisdiction of Mag[illegible] in the Mofussil under the statute 52, Geo[illegible] c. 115, s. 105, in cases of assaults, forc[illegible] tries, and other injuries accompanied wi[illegible] force not being felonies, committed by Europ[illegible] British subjects. We should mention here that in 1833 when the Charter of the E. I. Company was renewed the question of equalizing the law between the European British subject and the Indian subject was discussed in Parliament, and the opinion expressed by some of the most eminent members of both Houses was that there should not be one law for one man and another for the other. Then a Royal Commission was appointed to report on the Indian Laws. That Commission was composed of the following distinguished jurisconsults: Sir John Romilly, the Master of the Rolls of England, Sir John Jervis, Chief Justice of the Common Law of England, Sir Edward Ryan, late Chief Justice of the Supreme Court of Calcutta and Privy Councillor, Mr. Charles Hay Cameron, a member of the original Indian Law Commission, Mr. Macleod also of the Indian Law Commission, Mr. Hawkins, a distinguished Judge of the late Sudder Court, Mr. Ellis of the Madras Civil Service, and

Mr. Robert Lowe, now Lord Sherbrook. And the Commission composed of such distinguished men strongly recommended that the inequality in the eye of the law in the trial of Indian and European British subjects of Her Majesty in British India should be done away with. But the subject was not taken up till the Criminal Codes prepared by the Indian Law Commission came up for discussion in 1857. Then came the Sepoy Mutiny, that terrible hurricane, which shook the empire to the centre, tore asunder men's feelings, and arrested the march of progress and reform. In common with other things the cause of law reform suffered, and the result was that the Criminal Procedure Code passed in 1861 was shorn of that just provision. The reaction which commenced in 1857 lasted long enough. But in 1865 there was again a sign of progress. The grand juries were abolished. In 1869 a law was however passed restricting the appointment of Justice of the Peace to covenanted servants of Government and European British subjects, but natives who might be covenanted servants were not obviously excluded from it. But the exclusion of the Native Magistrate was made complete by the Procedure Code of 1872, which declared that no one shall enquire into or try a charge against an European British subject unless he be himself an European British subject. But the law of 1872 made one important advance, it conferred jurisdiction upon European Covenanted Magistrates and Judges over European British subjects, which they had never before enjoyed. We hope we have clearly shewn that notwithstanding some reaction after the Sepoy Mutiny the Government has steadily advanced to establish an equality in the eye of the law between the European British and Indian subjects of Her Gracious Majesty the Queen-Empress. The present Bill is simply a corrollary of the general proposition long before established that there should not be one law for one man and another for the other. All these facts the memorialists have suppressed. Then they assert that the Native Magistrate in Calcutta has failed. We will quote their own words:

> Such appointments, however, have by no means proved a success even in Calcutta. One of the first native Presidency Magistrates, appointed in 1856, was dismissed or removed for gross judicial misconduct in 1858. No native was in consequence appointed for twenty-one years afterwards; and although within the last few years natives have been again appointed, yet the Bengali Magistrates have in many respects failed to discharge their duties as satisfactorily in public opinion as the European British incumbents of the office.

Is this a fact? It is quite true that the second native Magistrate of Calcutta was removed from the Bench, but does that single case prove the incompetency of the whole body of native Magistrates? The first native Magistrate of Calcutta had a brilliant career, and was promoted to the Small Cause Court. Of late five native gentlemen have served as stipendiary Magistrates of Calcutta, and all of them have served with approbation; one of them was appointed to officiate as Chief Magistrate of Calcutta, and another it is said is about to be appointed in the same capacity. And yet in the face of these facts an impression is deliberately conveyed to the British House of Commons that the Bengali has failed as a Presidency Magistrate. Is this honest? Strange to say that the memorialists make no allusion to the native Magistrates of the other Presidency Towns, where they have proved equally successful. We commend the candour of the memorialists.

Here we stop to-day for want of space.

THE DEBATE IN THE LORDS.

The debate in the House of Lords on Lord Ripon's policy marks an era in the history of Parliamentary Rule of British India. For the first time the Upper House of Parliament was called upon to discuss the grave and momentous question, whether India should be governed by the brute force or by moral force, whether its Government should be an autocracy or a despotism tempered by public opinion, whether in fact India should be governed for the Indians or for the handful of Europeans, who temporarily inhabit it. The issues were raised upon two important points, viz. the self-government scheme and the Jurisdiction Bill, but the real issue was what we have indicated above. It is much to be regretted that this issue was raised by the Conservatives. It was the Conservatives, who gave the people of India their Magna Charta in the Queen's Proclamation of 1858, who gave special encouragement to them to enter the Covenanted Civil Service by the establishment of the Northcote scholarships, and who passed the rules for the appointment of Statutory Civilians, but by an irony of fate they took the lead in opposing the policy of raising the Indians to a higher political platform by giving them a share in local self-government and equalizing the law between the European and the Native. Lord Lytton, Lord Cranbrook, Lord Carnarvon, and Lord Satisbury must have felt the pang of this contradictory move, the invidiousness of this position, but in party politics as in love or war any thing is justifiable. In the stress of party politics these statesmen went to lengths to which we feel sure they would not have otherwise gone, and which we are confident they will not care to go to, when the responsibility of office will come upon them. In rising from a perusal of the debate two things are impressed upon us—the force of eloquence was with the Conservatives, but the weight of argument was with the Liberals. Lord Lytton made an eloquent and powerful speech, but his arguments were no better than those of a colonial legislator. Lord Cranbrook and Lord Salisbury were worse. They seemed to feel keenly the false situation in which they were placed, but they owed alligiance to party, and for the sake of party they must abuse the great and good man, who was now at the head of the Indian Government. What a humiliating spectacle was this! It is observable that the opposition of the Conservatives was not to this or that measure of Lord Ripon's Government—though they had picked out the self-government scheme and the Jurisdiction Bill,—but to the whole policy of it. "This policy," said Lord Lytton, "may be described in three words. It is the policy of gradually transferring political power in India from European to native hands." But this must be the legitimate outcome of the progressive and enlightened British rule of India. Can the India of to-day stand where it did fifty, thirty, twenty or even ten years ago? What is the meaning of Western education, Western culture, Western thoughts, and Western example, if the people of India will not press their claims to advancement? Certainly the progress of the Native Indians means the diminution of the personal influence of individual Europeans, but it does not mean the decadence of British power in the East. India will be more loyal, more attached to the British Crown, but England will rule India all the same. This is the truth which our English statesmen, Conservative or Liberal, ought to learn, and which the whole British nation ought to treasure up in their minds.

Taking the two specific questions raised by Lord Lytton Lord Kimberley thus answered him. Referring to the self-government scheme of Lord Ripon his Lordship said:

> Any one who will read the resolution of the present Viceroy and compare it with the resolutions of Lord Lawrence and Lord Mayo will find that the resolution of my noble friend, as regards principle, is but a repetition of the principle already recognized by those Viceroys. I do not understand how any one can shut his eyes to the fact that the policy which my noble friend is pursuing is the old settled policy of many Viceroys, and that the principles which he has brought forward are the principles which have been entertained by the Government of India for many years.

As regards the Jurisdiction Bill his Lordship remarked:

> I should mention that in 1857 also, as now again, there was great agitation among the Europeans against the proposal; and that agitation showed itself in a similar way in 1865 when it was proposed that Grand Juries should be abolished in the Presidential towns. The alarm of the Europeans then was extreme, and to show your lordships how frightened they were I will read to you a short extract from a circular issued by a landowners' association at that time. The circular said:—"On the abolition of Grand Juries there would be no protection to gentlemen from being accused of crimes of which they were entirely innocent whenever the local magistrae was supposed to be inclined to believe in such charges and of being put upon their trial whenever a credulous or prejudiced magistrate would be found." At a public meeting held in Calcutta very strong language was used. One speaker regarded the abolition of Grand Juries as "the thin end of the wedge which threatened to bring down and destroy the whole fabric of our Constitution." I wish to speak with every respect of the Europeans in India, but on every occasion when any diminution of their privileges has been proposed they have been in the same state of excitement; and what is far more important is this—that the consequences which they so confidently predicted on these various occasions must follow from the changes made have not followed in any one case. (Hear.) That reassures me and makes me hope that when this Bill passes into law it will prove as innocuous as have the previous measures to which I have alluded. (Cheers.)

Again:

> I cannot conceive stronger guarantees that justice will be done than the present state of circumstances, which, as I have pointed out, is quite different from what it was formerly. But I do not say that this alone would justify us in confirming jurisdiction on the natives. The question is whether they will exercise that jurisdiction wisely. Now natives have exercised jurisdiction over Europeans for many years past, and have sat in the highest courts of justice. The present Advocate General to the Government of India is an Armenian native of India, and a short time ago a Bramin, whose name I will not venture even to read to the House, was standing counsel to the Government, his duty being to conduct prosecutions against Europeans. The noble earl said no doubt that one of these acts must be read by the light of the other and he thought that the same proposal to extend the jurisdiction of the natives would not otherwise have attracted so great an amount of attention. I am not sure that this is so, but at the same time there may be somewhat in the mind of the Europeans in the direction of a feeling that there is a desire on the part of the authorities to extend the privileges of the natives. It is a question, and a high question, of policy, and it is natural that the Europeans should be jealous. But has it not been our intention for many years past to give the natives a higher position, and does not that necessarily to some extent lessen the privileged condition of the Europeans? I do not hesitate to say that this is a necessity arising from our policy. I believe it to be for the ultimate safety and security that there should be a gradual introduction of natives, and I should dread to see this country lay down the rule that we would abide by a high autocratic policy, ruling by the sword alone, rather than by conciliating and obtaining the good wishes of the natives. That this is the spirit in which the Viceroy of India has addressed himself to this question, and I believe it is a policy which will not diminish but strengthen our rule in India. (Hear,hear)

Quite so. And Lord Ripon deserves the greater credit, for he has openly and honestly declared it to be his duty to adhere to the policy which has been sanctioned and sanctified by, the Queen's Proclamation.

Lord Cranbrook spoke strongly against Lord Ripon, and he thus got it from the Lord Chancellor, who said:

> The speech of the noble viscount was full of arguments from panic, not from policy, and full of reference to opinions expressed by Englishmen of such a character as are calculated, not to mitigate, but to inflame the antipathies, jealousies, and passions of race. I heard the speech with regret. It seemed to be mainly addressed to vituperation of the Viceroy, for, as was most groundlessly alleged, putting pressure upon the local Governments to obtain from them opinions in accordance with his own views. With the exception of that part of the speech which consisted of vituperation of the Vicery, I heard little or nothing from the noble viscount in the way of argument. There was a marked contrast between the speech of the noble viscount and that of the noble earl. In parts of his speech the noble earl went far to admit that under certain conditions the Criminal Law Amendment Bill might be proper. The truth is that the question before your lordships has off and on been under discussion in India for 33 years, and the principles which it is now proposed to adopt have over and over again been recommended by the highest authorities in India and England. Surely, after so much consideration of the matter the action of the India Government cannot be said to be precipitate. It is a remarkable fact which justifies the Government of India in seizing every opportunity of establishing sound principles on a subject of this kind that to abolish exemptions invariably takes much time. It took much time, for example, to get rid of the general exemption of European British subjects from the jurisdiction of the local courts, although those courts were in the hands of British Judges. Panic after panic was caused by the proposal to do away with the exemption, and it was not until 40 years after the power to abolish it had been given that the thing was done. The noble viscount referred to the opinions of Sir Fitzjames Stephen, a learned Judge for whose great abilities I have as much respect as the noble viscount has. Indeed, the respect which I entertain for him has perhaps caused me to regret the more that he should have been led to say anything which may have a tendency to increase the difficulties of the Indian Government on this subject.

His Lordship continued:

> To say that the time has not arrived for the passing of a measure which a country has long wanted simply because an outcry has been raised against it would be to invite an outcry in the case of the proposed abolition of any privilege or exemption. It is remarkable that the legislators of this country did not form the opinion that the Mutiny made it necessary, in order to preserve our position in India, to keep natives out of public employment. On the contrary, they thought that the true lesson to be learnt from the Mutiny was that confidence should be placed in those natives who were willing to serve the Government, and that they should be given an interest in the Government of their country. That policy was first pronounced in connection with the examinations for the Covenanted Civil Service of India, to which natives were admitted. Then, in 1861, when the High Courts were established, the British Legislature provided that there should be native Judges in them. That is a provision which is fatal to the argument that it is not proper that British subjects should be liable to be judged in criminal as well as in civil cases by native Judges. Then came the Act of 1870, which enables the local Governments to appoint any native to any office or employment which terms were intended to include the office of Session Judge and District Magistrate—the judicial offices with which we are now dealing. The noble viscount having to justify and explain his own despatch, written in 1870, says,—"It is true that we intended that there should be native Judges for natives: but

we did not intend that they should have jurisdiction over Europeans." But if native Judges are trusted to adjudicate justly in cases in which natives are concerned, why should they not be trusted in cases in which Europeans are interested? How can you trust a Hindoo Judge to do justice to a Mahomedan, or a Mahomedan to a Hindoo if you cannot trust the man to act with impartiality and integrity in a case affecting the interests of a European. It should be remembered that the exemption at the present time is an exemption only of natural-born British subjects, their sons and grandsons. Native Judges have jurisdiction over all Frenchmen, Germans, Italians, and Europeans of any nationality not entitling them to the privileges of natural born British subjects. You trust the natives now to exercise the power of judgment over Europeans, and by the arrangement made in 1879 you have made it necessary that one-sixth in every year of all the Civil Service in India shall be filled with natives in addition to those who pass examination in this country. The consequence will be that in a few years you will have more than one-sixth—or at least one-sixth—of the session Judges and district magistrates filled with a class of native Judges to whom you now object to give criminal jurisdiction over Europeans; and if the policy proposed is not carried out, the effect will be, under these circumstances, the very state of things which existed in 1872. This would happen also that a European subordinate would have jurisdiction over cases which a superior Judge was disqualified from trying. The question might be asked, What has been our experience hitherto of native Judges? My lords, for some years I practised in Indian cases before the Judicial Committee of the Privy Council, and during those years there were few cases of any Imperial importance in which I was not concerned. I had considerable opportunities of observing the manner in which, in civil cases, the native Judges did their duty, and I have no hesitation in saying—and I know this was also the opinion of the Judges during that time—that the judgments of the native Judges bore most favourable comparison, as a general rule, with the judgments of the English Judges. I should be sorry to say anything in disparagement of English Judges, who, as a class, are most anxious to carefully discharge their duty; but I repeat that I have no hesitation in saying that in every instance, in respect of integrity, of learning, of knowledge, of the soundness and satisfactory character of the judgments arrived at, the native judgments were quite as good as those of English Judges. And since 1861, my lords, we have had experience of Indian native Judges in the High Courts, where they have had jurisdiction over Europeans. (Hear.) How have they used that power? Have they not secured the confidence of the public? I venture to say they have. (Cheers)

We cannot feel too grateful to the Lord Chancellor for this candid opinion.

Lord Northbrook as might be expected spoke with the confidence of experience and conscious rectitude of purpose. His Lordship practically said that equality in the eye of the law was the cardinal principle of British rule in India. He remarked:

Whether it was Lord Dalhousie, with his Imperial instincts, or Lord Canning, with the responsibility laid upon him of dealing with the Mutiny, or Lord Lawrence, with his great knowledge of the internal organization of the country, or Lord Mayo associated from childhood with the Conservative party: all alike held that there should be no distinction of class or race, and that there should be one law for all classes of Her Majesty's subjects. Was this disputed by noble lords opposite? Did they remember the Charter Act of 1833? By that Act India was for the first time open to Europeans. Before that no European could settle in that country unless licensed by the East India Company. When it was then proposed that Europeans and natives should be subject to the same laws, Lord Elenborough expressed himself against the proposal in langurge almost identical with that used to-night in their lordship's House and he received an answer in the other House of Parliament from no less a man than Thomas Babington Macaulay—an answer which was one of the most eloquent of his speeches, and which was received with the entire consent of the Conservative party. (Hear, hear.) In 1833 the directors obtained the sanction of Parliament to an Act by which distinction of race or colour was to be no disqualification for holding any place of employment under the company. That meant that there was to be no governing class in India, and that there was to be no distinction of race, colour, or religion. When the Crown assumed the government of India, and even after the Mutiny, under a Conservative Government, all Her Majesty's subjects, without distinction of race, were to be freely and impartially admitted to the Civil Service. When in office the noble earl opposite, in recommending his views to the noble vicount, said that they desired the native civil servants to be regarded as a branch of the covenanted Civil Service, no distintion being made in the duties or the responsibilities of the particular posts which would be thrown open to both branches of the service, and that there should be no distinction between officers holding the same office, whether belonging to one branch or another. How did the noble viscount reconcile that statement with the one he had now made that the natives were not members of the same service as the Europeans? If words meant anything, the declaration made by the Viceroy meant nothing less than that the natives who had been admitted into the covenananted Civil Service were to be in the same position as the other members.

His Lordship then went on:

Were the native officers of the covenanted Civil Service fit to exercise the duties which the measure would impose upon them, or were they not? If they were not fit, by no means, allow them to exercise those duties; but if they were fit no question of race ought to stand in their way. It was a mistake to suppose that the native Judges whom the Bill affected, were inferior men. The measure would only confer jurisdiction on men who were magistrates of the first class, who had served 12 or 13 years in the Civil Service and passed the necessary examinations, and who were selected by the different local Governments, as fit and proper persons. It had been said by the noble earl opposite that the Government proposed to take from British subjects in India privileges which they enjoyed in Turkey, Egypt, China, and Japan, and he asked whether the Secretary of State for the Colonies would permit such a monstrous thing as the exercise of jurisdiction by a native Judge over a British subject in Ceylon or Hongkong. But it should be borne in mind by those who made use of that argument that the system of law in the countries which he had mentioned was not adapted to the cases in which Europeans were concerned. Consular jurisdiction was, therefore, exercised under treaties. In India, however, the criminal law was far more simple than the criminal law in this country, and could be applied with equal justice to all the inhabitants of India. He might point out in addition that there were native Judges in Ceylon who exercised jurisdiction over British subjects, and in Hongkong there was a Chinese magistrate who possessed a similar jurisdiction. In the High Court of Calcutta, also, native Judges had for 20 years exercised criminal as well as civil jurisdiction with very great credit to themselves. In his opinion, the Viceroy had taken a most judicious course, and he felt confident that the prophecy that danger would result from the proposed step would not be fulfilled. Before sitting down, he wished to say that he had watched the career of his noble friend Lord Ripon with all the interest which any one must feel who had shared at one time the arduous responsibility of the high office he now filled, and he had always observed in him the most anxious desire to do his duty fairly by all classes of Her Majesty's subjects, the utmost desire to do his duty to the natives and to his fellow-countrymen alike, and he hoped that that discussion would show at any rate that Her Majesty's Government were prepared to give him their hearty and entire confidence in regard to those measures which he had introduced, believing that they were right in themselves, and that they were not likely to produce any of those ill effects which noble lords opposite seemed to apprehend from them. (cheers.)

Lord Ripon has won the hearts of the people of India, and if that is a crime, we leave it to those men of conscience, who inveigh against him, to impeach him.

Happily the debate resembled the moral of Rasselas. It resulted in no Resolution, and consequently the House was not committed to the principles which the Conservative leaders had propounded. They simply wanted to blow away steam, and we have no objection to this sort of Parliamentary pastime, when it leads to no serious consequences.

THE CONTEMPT OF COURT CASE.

ALL Calcutta is, and erelong all India will be stirred to its inmost depth by the great Contempt of Court case, which was disposed of by the High Court on Saturday last. The printer and editor of the *Bengalee* newspaper were hauled up before the High Court on a charge of contempt of court for publishing an article in that paper reflecting upon Mr. Justice Norris in connection with a case in which the Salgaram idol of a Hindu suitor had been ordered into Court. The rule was issued on Wednesday last, and the hearing was fixed for Friday following. The matter was heard by a full bench of five Judges, viz., the Chief Justice, Mr. Justice McDonnell, Mr. Justice Mitter, Mr. Justice Cunningham, and Mr. Justice Norris. Mr. W. C. Bonnerjee appeared on behalf of the accused and submitted two affidavits. The first defendant in his affidavit stated that he was merely printer of the paper, and had no control over its editorial management, and apologized for the appearance of the article impugned. The second defendant in his affidavit admitted that he was responsible for the appearance of the article, that he had taken the information in good faith from the *Brahmo Public Opinion*, which was believed to be edited by an attorney of the High Court, and that he had commented upon it under a sense of public duty. He now finds that the statements contained in the *Brahmo Public Opinion* were "inaccurate and misleading," and he therefore tenders unreserved apology. He adds:

I say most emphatically that if I had known, or had any reason to believe that the statements of the *Brahmo Public Opinion* aforesaid were in any respect inaccurate, I would not have made the observations I have, and I am truly sorry that I was misled into making them, and I withdraw them unreservedly, but I repeat that my observations were made perfectly *bona fide*, and without any motive of any description whatsoever other than the motive to promote the public good.

The affidavit also contained the following prayer:

That I am advised that this honourable Court has no jurisdiction to issue the said rule, or to deal with me, or the said Ramcoomar Day summarily, but the question I am also advised is one of extreme difficulty, and I know it to be one of great public importance, and will require much time and attention to be dealt with, as in my judgment it should be dealt with.

That the said rule was served upon me at half-past 11 o'clock, and I received the said grounds at about a quarter after 2 P.M., and though my attorney and I have made our best endeavours to secure the services of counsel learned in the law to appear for me and argue the said question, I have not succeeded in getting one prepared to do so this morning, and I humbly pray that time may be granted to me sufficient to enable me to have the said question argued, and I make this prayer entirely subject to the apology which I have made, and without in any way detracting from, or weakening, the same in any particular whatever.

The following conversations then took place between the Chief Justice and Mr. Bonnerjee:

The Chief Justice:—As I understand it, as your clients are not prepared to make any defence, they have asked you to make use of these affidavits in extenuation of their act and now you are asking for an adjournment.

Mr. Bonnerjee:—No, my Lord, I am not asking for an adjournment. I am not prepared to support the prayer even if I were in a position to argue the question, I will not do so.

With reference to the apology Mr. Norris remarked:

Justice Norris:—But there can be no right in such [illegible] to liken any judge to Jeffreys and Scroggs. There is no reference in the affidavit to any regret for expression of any sort.

Mr. Bonnerjee:—The affidavit was written in the [illegible] hurry, and it was engrossed and written by the Attorney himself, and there has been no time to state the matter with regret with that fullnss which the importance of the case deserved, and I would ask your Lordships to make allowance for these shortcomings. The allusion is a most unfortunate one, and Surendronath Bannerjee regrets extremely that he was betrayed into saying anything which, no doubt, would justly wound the feelings and susceptibilities of any one, and particularly of a learned Judge of the High Court.

Justice Norris:—I desire to remove the apprehension that any action has been taken, because my feelings were wounded. The movement was made, because the whole Court was brought into contempt.

After some further conversations the case was adjourned to next day, Saturday, and the accused were enlarged on bail for Rs. 5000.

On Saturday the Chief Justice delivered judgment concurred in by his colleagues, except Mr. Justice Mitter, who gave a separate judgment. After a few preliminary remarks the Chief Justice says:

You have certainly acted wisely in not attempting to justify an act which you must be well aware, is wholly unjustifiable, and your Counsel has also exercised a wise discretion, in not insisting upon a point which, we observe is suggested in your affidavit, that this Court has no [illegible] to institute these proceedings.

It is impossible that any reasonable man, who is acquainted with the real truth of the matter, can read the article in question, which you admit to have been composed and published by yourself, without seeing that it is a most scandalous and wholly indefensible attack upon Mr. Justice Norris.

You begin the article by accusing that learned Judge of neglecting, in the discharge of his judicial duties, the commonest considerations of prudence and decency. You go on to compare him with two of the most notorious unrighteous judges that had disgraced the English Bench, and you denounce him to the Indian public as entirely unworthy of his high office, and unfitted by nature to maintain the traditions of dignity which are inseparable from the position of a High Court Judge.

With regard to the *Salgram* case the Chief Justice remarks:

The truth of the matter was this: In a case which was tried before the learned Judge, a question arose as to the identity of a certain Thakur or idol. It was necessary for the purpose of determining that question, to ascertain whether a particular Thakur which was then in the custody of one Bhuttocknath Pundit in Bura Bazar was the family Thakur of certain parties to the suit. For the purpose of determining that question, it was suggested by the Counsel on both sides, that the Thakur should be brought into Court for the purpose of identification. Mr. Justice Norris hesitated to take that course until he had enquired from the Attorneys on either side, who were Hindus, whether there would be any objection to it. Their answer was, that there would be none. His Lordship then further enquired from a person named Gouri Kanta Banerji, who was in Court and who was an agent of the plaintiff, whether he saw any objection; and his answer was that the idol could not be brought into the Court itself, on account of the coir matting with which the floor was covered, but that it might be brought without objection into the corridor.

The learned Judge then in order to satisfy himself further, sent for the Court Interpreter, Babu [illegible] Mukerji, who is an officer of great experience and a high caste Brahmin, and made the same enquiry of him. He asked whether the Thakur was a *Salgram*, and he, knowing what it was, gave the same answer as Gouri Kanta,—namely, that it could not be brought into Court on account of the matting, but it might with perfect propriety be brought into the corridor. Upon this, His Lordship granted the application, and a subpœna *duces tecum* was issued to Bhuttock Nath Pundit to produce the Thakur the same day, and in order to ensure the orders of the Court being properly carried out, it was further ordered that the Interpreter himself should proceed with the officer to Bhuttock Nath Pundit's house (who was himself a Brahmin) and should see to the proper conveyance of the Thakur to the Court.

We have then the affidavit of Bani Madhub Mukerji himself, who, after confirming the above facts, informs us that in obedience to the order of the Court, the Thakur was duly conveyed into the corridor by himself and [illegible] the learned Judge, attended by Counsel on both sides and the Attorneys, left the Court and went into the [illegible] for the purpose of inspecting it.

His Lordship then goes on:

It is, indeed, a very lamentable thing, and I trust that your own countrymen will also be of that opinion, to find a gentleman of your position and attainments, who was even a member of the Covenanted Civil Service, and is now an Honorary Magistrate of this city [illegible] making use of his in[illegible]

newspaper Editor to vilify and bring into public contempt, without any justification whatever, a Judge of the High Court.

If the offence had been committed by any young, inexperienced man of no education or knowledge of the world, or by a person in the position of Ram Kumar Dey, who stands beside you, we might ascribe it, in some degree at least, to ignorance or want of consideration. But you have had great educational advantages. You know, or should know, as well as any one, the duties and responsibilities of gentlemen connected with the Press. You profess in your affidavit to justify your offence by putting forward as the basis of your false charges against Mr. Justice Norris, "a statement in the *Brahmo Public Opinion*, which you say you believed to be true, and upon which you considered yourself at liberty to enlarge and comment with extreme severity.

Moreover, whilst you profess to admit that your charges were totally false and unfounded, and made without any sort of enquiry on your part, you still maintain that you have made them "in perfect good faith, and in the interests of the public good."

Further more, you have made mention in your affidavit of another article, extracted from the *Brahmo Public Opinion*, which is also apparently intended to reflect upon Mr. Justice Norris, and the subject of which has nothing to do with the present proceeding. Your Counsel, though invited to do so, has wholly failed to explain to the satisfaction of the Court, why that article was inserted, and you must have known perfectly well, that the affidavits, upon which the rule was issued, were not directed to the subject of that article.

These matters in your affidavit, so far from extenuating your offence, appear to the Court to be an aggravation of it.

The Judges are at a loss to understand how a libel so gross could possibly have been inserted in your paper in good faith, and they find great difficulty in believing that a gentleman of your education and a newspaper Editor could be so utterly ignorant of the law of libel as to suppose that you were at liberty to publish these attacks upon the conduct and character of a High Court Judge merely because you found them, though in a less virulent form, in another Native newspaper.

The Court is quite willing to make some allowance for your affidavit having been drawn, as your Counsel informed us was the case, in a hurry and without consideration. But they cannot look upon it for the reason, which I have just mentioned, as any extenuation of your offence.

We feel that it is absolutely necessary to vindicate and maintain the authority of the Court; and to guard against a repetition of the grave offence which you have committed by imposing upon you not a fine, which in your case would be a mere nominal penalty but such substantial punishment as may serve as a wholesome warning to yourself and others.

The Court's order is that you be imprisoned on the Civil Side of the Presidency Jail, for the space of two months.

His Lordship thus concludes:

We fail to see why persons, charged with contempt of court for libel in a proceeding of this nature should be subjected to a less severe punishment, than if the proceeding had been by criminal information, or by the more ordinary process at the criminal sessions.

Had your affidavit disclosed a more honest and candid avowal of your guilt, without making mention of those matters which the court cannot find to have been introduced for any useful purpose, or from any proper motive, they might have considered it sufficient, for the ends of justice, to have visited you with a more lenient punishment.

We give the judgment of Mr. Justice Mitter below:

I concur in the finding that both Ram Kumar Dey and Surendro Nath Bonnerji are guilty of contempt of court. But after giving my best consideration to the question of the punishment that should be inflicted, I am unable to agree in the view of the majority of the court. There have been in this court two cases of a similar nature since its establishment. One is reported at page 79 of Hide's Report. The other case was not reported in any authorized report, but is well known as Taylor's case. In both these cases, at the first hearing of them, the persons charged with contempt did not admit their guilt. The matter was discussed fully, and after the court had pronounced its decision that they were guilty that suitable apologies were made.

In the case before us, the persons charged with contempt have at once admitted their guilt, and have expressed their deep regret at having unwillingly cast an undeserved slur upon a learned Judge of this court.

In the first-mentioned case, Sir Barnes Peacock, C. J., in delivering the judgement said:—"Although the majority of the Judges were of opinon that both these gentlemen," i.e., the persons charged with contempt, had acted in contempt of court they did not wish to visit the offence with any punishment. The court would be content with an apology, nor need the apology be an abject one. but simply such as would convey the expression of their sorrow at having committed that which the court considered to be contempt. In accordance with this expression of opinion, a suitable apology was made, and no punishment was inflicted.

In the other case, the sentence of the Court was that Mr. Taylor should stand committed for one month to the civil side of the Presidency Jail, and that he should pay a fine of Rs. 500, and that he should be further imprisoned till the fine was paid

Then Sir Barnes Peacock, C. J. referring to an apology which had been published by Mr. Taylor before the sentence was passed, said:—"if you think fit to add to the apology which you have already published (and it is for you to decide whether you can conscientiously do so or not) the court is willing to mitigate the sentence. If, after what you have heard, you state that upon reflection you find that the charges which you made against Mr. Justice Dwarkanth Mitter were unwarranted and wholly without foundation, and that you are sorry for having made them, you may do so, and if you may add, if you wish it, either that you did not intend to cast any reflection upon any of the other Judges, or that the reflection cast was unfounded, and if you publish that apology in the *Englishman* you may apply on Monday, the 3rd of May next, for your discharge on payment of the fine."

This sentence was passed on Saturday, the 24th April 1869, and on the 27th April following, Mr. Taylor having made a suitable apology, was released, the remaining term of his imprisonment having been remitted.

I have gone into these details because it seems to me that in determining the amount of punishment to be inflicted on Surendronath Bannerji, we should take these cases as our guide. The complexion of guilt in the case of Mr. Taylor is certainly not of a lighter character than that of Surendronath Bannerji.

On the question of punishment, therefore, I should have been inclined to adopt the course which was adopted in these cases.

We have neither time nor space to comment at length on these proceedings. At the outset we desire to say that we bow to the judgment of the Court. While we say so we venture to bring some points for the consideration of the Court and the public. In the first place did not the Court act in great haste by giving the accused scarcely forty-eight hours' time to prepare himself with Attorney and Counsel? Mr. Bonnerjee admitted that the affidavits had been prepared in great hurry, so much so that the attorney had to write them out himself. Under the circumstances should not a fair time have been given to the accused to meet fairly such a serious charge against them? In the second place it was stated in the affidavits that the accused could not get the assistance of proper Counsel for want of time, and was not this an additional reason for adjournment? In the third place is it true that some of the leading European Barristers refused to take brief in this case, doubtless for good and valid reasons, which are not known to the public?—but the fact remains that the accused did not get that professional assistance which they sought for. In the fourth place Mr. Bonnerjee, who appeared for them, while tendering their apology, did not argue the question of summary jurisdiction of the Court raised in the affidavits. The question is—was this part of the affidavit put in without his advice? if so, why was it put in at all? and if Counsel was not disposed to argue that question, did he act consistently by accepting brief in a case in which one of the prayers was opposed to his own opinion and advice? How could he under such circumstances do justice to his clients and to himself? In the fifth place was not the question of summary jurisdiction the most important, and if Mr. Bonnerjee was not disposed to support the prayer regarding it, would not the Court have acted generously, if it had allowed the accused an opportunity to obtain some other professional adviser to argue out this point? Doubtless the Court was satisfied that it had summary jurisdiction, but none know better than the Hon'ble and learned judges that it is not enough that justice is done, but that it is necessary that people should be convinced that justice has been done. Not only was the point not argued before the Court, but no allusion has been made to it in the judgment of the Court—Mr. Justice Mitter did not also notice it. In the sixth place the Chief Justice declined to believe that in publishing the article in question Babu Surendranath Banerjee acted in good faith. With due deference to his Lordship we submit that Surendranath could not have acted from any other motive. We do not for a moment justify the article—while holding that the writer was actuated by public spirit, we cannot for a moment admit that he had the slightest excuse to liken Mr. Justice Norris to a Jeffries or a Scroggs. Surely this is not the way to express our respect for the High Court or maintain its dignity, though we hold that the Judges of that Court are as much amenable to public criticism as any other body of public servants. Such criticism ought to be moderate, discriminating, gentlemanly, and just. Seeing, however, that Surendranath had proceeded upon the information supplied by the *Brahmo Public Opinion*, a paper edited by an attorney of the Court, and professing to be a religious organ, and that though himself not an orthodox Hindu he had espoused the cause of his orthodox countrymen, we confess we believe that he acted in good faith, though he was sadly mistaken in his language and sentiments. In the seventh place the Chief Justice condemns Surendranath for dragging in his affidavit another article, which was not the subject of the rule. By doing so, says his Lordship, he has aggravated his offence. We entirely agree with his Lordship on this point. But this point must have been put in under professional advice, and if any body was to blame, was it Babu Surendranath or his professional adviser, whoever he might be?

Our object in drawing attention to these points is that if the Court had taken them into consideration, it would not have passed such a severe sentence upon Surendranath. We deeply sympathize with him in his present distress. We freely and frankly admit that the Court had but one motive in arraigning the editor of the *Bengalee*, viz., the vindication of its dignity, but we humbly and respectfully submit that it would have better consulted that dignity, if it had followed the truly judicial opinion of Mr. Justice Mitter. It was enough that the offender had been hauled up, had admitted his error, retracted his remarks, and made an unreserved apology, and surely the dignity of the Court would have been sufficiently vindicated, if he had been let off with a sharp reprimand or a fine. There were, as Mr. Justice Mitter pointed out, precedents for such a course. We believe that when a contempt of court is committed in view of the Court—we have had no time to refer to the law--the maximum punishment is a fine of Rs. 200, and when such is the case it does seem hard that a person guilty of a like offence outside the Court should be liable to imprisonment. Surely it is time that this conflict of law should be cured.

We have no time to dwell on the political tendencies or effects of the proceedings of the High Court in this case. The native community feel deeply hurt in their tenderest part. We do not exaggerate the feeling when we say that there is a panic among them—that many of them seem to think that it is not now safe to talk of the Judges of the High Court in common conversation or to criticize them in the public press—that the liberty of speech is in danger. Need we say that we do not share this feeling. We do not and cannot believe that the Judges of the High Court, who represent the majesty of the British Constitution and Law, who are the constituted guardians of the liberties of the people, and who have always shielded them from the attacks of high-handed executive authority, would do aught to repress the liberty of speech. Not only have they their own sense of duty and justice, but also their sense of responsibility, for they know too well that if they violate the law, they will be themselves liable to Her Majesty's Government and to the Imperial Parliament. In the present case they must have taken action under a stern and painful sense of duty, and no right-minded man can justly impugn it. We only regret that the majority of the Judges did not concur with their Native brother, whose judgment is a model of good sense, moderation. and judicial wisdom. If they had done so they would have disarmed public criticism. Be that as it might, we think it is our duty to support the High Court, for after all it is the only safeguard of the liberties of the people. It would be insulting to the Judges to say that in the serene atmosphere of their Court the contaminating breath of political prejudice or race-feeling should have no place, that anger should have no seat along-side patience and forbearance, that impulses should not be permitted to ruffle the even tenour of a judicial mind, and that the rock of justice should stand unmoved, however strongly the gusts of political passion may rage, or however fiercely the billows of race-animosity may surge.

THE GOVERNMENT AND THE PEOPLE.

LORD RIPON is doing so much for the good of the country that we venture to draw His Lordship's attention to the necessity of making some rules for the proper investigation of complaints against executive administration. His Lordship as the head of the Government is naturally anxious to do justice in all cases, but he cannot be expected to read all papers or go into the facts of all cases. Inevitably matters of this kind are left to subordinate officers, but the orders are issued in the name of the Governor-General in Council, and His Excellency in Council is naturally looked up to as the arbiter of the destinies of the people. We have before us three typical cases, to which we desire to call the attention of His Excellency.

I.

THE EX-RAJA OF JHANSI.

We give the grievances of the ex-Raja of Jhansi in his own words:

Having experienced unexpected disappointment in the various attempts I made to secure justice at the hands of the highest representatives of the enlightened Government of Great Britain and Ireland, I take

this opportunity to bring my most deplorable case to your kind notice with a hope that you will, by publishing it in your widely circulated journal, with such remarks as in your opinion the case deserves, place it before the learned public in general and especially before the kind and generous-hearted members of the British Parliament as well as those of the Liberal Ministry. * * * *

The last Raja of the principality of Jhansi died on the 21st of November 1853, having on the 19th of the same month adopted me as his son when I was a child of 3 years. The adoption was recognised as regular and irreversible both by the orders of the Supreme Government to the effect that I was to succeed to my adoptive father's private property and by the terms of the proclamation issued on the receipt of the final orders of annexation. The decision of the Government on that point is summed up in the following words :

"The adoptation is good for the conveyance of private rights though not for the transfer of the principality (*vide* Jhansi Blue-Book 1855, page 31)

After the death of my adoptive father this principality of Jhansi was annexed and an annual pension of Rs. 60,000 was conferred on his widow, the right of succeeding to the private property being given to me.

But as I was then a child of 3 years only the private cash and proceeds of the sale of all moveable and immoveable property belonging to my adoptive father were converted into cash and deposited in the Government Treasury. The Government was thus in the position of a trustee for me and was accordingly bound to restore my property to me on my arriving at the age of majority.

Besides the above-mentioned private property of my adoptive father, deposited in the Government Treasury, there is a village named Purulia under the Bombay Government which had been conferred upon one of my forefathers by name Damodar Punt as a jaghir in perpetuity, and the annual income of which was then about Rs. 12,000. This gift had been enjoyed unmolested successively from the time of Damodar Punt to that of my adpotive father and after the death of the latter by one of his kinsman named Sudashew Rao, who, I do not know under what circumstances obtained possession of it, as I, being a legal heir of my adoptive father, was then a child of 3 years. When my adoptive father had ceased to exist, and Sudashew Rao was sentenced to transportation, and when my whereabouts were owing to the disturbed state of the country unknown to the local authorities, the village in question naturally lapsed to Government.

From the following genealogical tree of Jhansi family it will clearly be seen that this jaghir had no earthly connection with the acquisition of the principality of Jhansi from the Peshwa's Government by Sheo Rao Bhas, but it was a separate gift; and as it was enjoyed by my adoptive father during his life time I am justly entitled to it as it formed a portion of the private property belonging to my adoptive father. (We have not space genealogical for the tree. (Ed. H. P.)

In addition to the above-mentioned immoveable property there is a house at Benares of the value of about Rs 15, 000 which had been purchased by one of my ancestors.

All these are the different portions of the private property of my adoptive father which I could gather from private sources and to which I have every right to succeed as his heir, my right being duly recognised by the Supreme Government as aforesaid.

After the death of my adoptive father, the Government of India was pleased to grant to the Rani Rs, 100,000 to defray the expenses of my *munja* or thread ceremony from the private cash and the proceeds of the sale of the aforesaid moveable and immoveable property belonging to my adoptive father and deposited in the Government Treasury in trust for me.

In 1857-58 (that is 5 years after my adoption) the Mutiny broke out in India, when the widow of my adoptive father joined the standard of the rebel forces and fell in action at Gwalior in 1858 when I was only 8 years old.

Thus at a time when I was a helpless orphan I was brought to Indore and every care was taken of me by the late Colonel Sir R. Shakespear then Agent to the Governor-General for Central India, for which act of kindness I am deeply indebted to the Govt.

On my attaining the prescribed age of majority I saw that I was not practically permitted to succeed to the private property of my adoptive father nor has any intimation in the matter been given to me even up to the present day. When, however, matters threatened to come to a dead stand, I ventured to submit representations to the successive Agents to the Governor-General for Central India, requesting therein to grant me redress in connection with the grievances therein complained of. But year after year rolled on without obtaining the redress prayed for on various occasions, until at last I was compelled to move the Supreme Government in the matter. The Government of India was eventually pleased to increase my monthly allowance from Rs 150 to 200 and likewise to pay off a portion of the debts incurred by me to meet my ordinary expenses to the extent of Rs 5,000 ; but nothing has as yet been done for the restoration of my legitimate rights.

I again submitted a representation to the Government of India through the local authorities on the 4th of April 1881, wherein I described at great length the subject matter of my grievances ; but I was given to understand in reply thereto, that the Government of India declined to interfere in the matter.

At last on the 20th of March 1882 I submitted my grievances to Her Majesty's Secretary of State for India through the Government of India, but unfortunately I received a copy of the following reply addressed to His Excellency the Viceroy and Governor-General of India in Council.

Political No 61.—India Office, London 22nd June 1882.—To His Excellency the Most Honorable The Governor-General in Council.

My Lord Marquis.—I have to acknowledge the receipt of the letter of your Excellency's Government in the Foreign (General) Department No. 26 dated 15th May 1882 with accompanying memorial to my address from Damodar Rao, the adopted son of the late Raja of Jhansi, in which he prays for the restoration to him of certain property which formerly belonged to his adoptive father.

The confiscation of the private possessions of the Jhansi Raj consequent on the rebellion of the Rani during the Mutiny of 1857, has long since been carried into effect, and I see no reason to reopen the question. The memorialist, who appears to have been treated with reasonable liberality, may therefore be informed, that I decline to interfere in his behalf.

I have &c.,
(Sd.) Hartington.

On receipt of a copy of the above-mentioned order the following correspondence passed between myself and the Agent Governor-General C. I., from which you will observe that the doors of justice are barred against me by *the local* authorities.

To—Sir Lepel Griffin K. C. S. I.—Agent to the Governor-General for C. I.

Most respected Sir,—I crave permission to submit that I eagerly long to be allowed to wait upon your honor as I desire verbally to submit a short explanation in connection with the reply to my memorial to the Secretary of State for India. I hope therefore that your honor will be graciously pleased to inform me at what time I can be permitted to wait upon your honor.

Hoping to be excused for this trouble.

I beg &c.,
Indore 9th Sept. 1882. (Sd.) S. M. Damodar Rao

No. 1996—To S. M. Damodar Rao of Jhansi—Dated Indore Residency the 15th September 1882.

Sir,—In reply to your letter dated 9th instant I am directed to inform you that the Agent Governor-General declines either to reconsider your memorial or to discuss the matter with you.

yours faithfully,
(Sd.) D. Robertson.
1st Asstt. Agent Govr-Genl. C. I.

Now with regard to the orders passed by the Marquis of Hartington to the effect, that " the confiscation of the private possessions of the Jhansi Raj consequent on the rebellion of the Rani during the mutiny of 1857 has long since been carried inty effect," I beg humbly to submit, that immediately after the death of my adoptive father private cash. and proceeds of the sale of immoveable and moveable property belonging to him were converted into cash and deposited in the Government Treasury in trust for me, as I was then a child of 3 years ; while after a period of about 5 years, or in the year 1857, the Mutiny broke out in India when the Rani joined the rebel forces and fell in an action at Gwalior on the 16th of June 1858. Under these circumstances, therefore, I am at a loss to understand on what tenable ground can the offence of disloyalty committed by the Rani at a time when I was a minor or a child of 8 years only, deprive me of my legitimate rights, to which according to the principles of succession and inheritance inculcated by the Hindu law, I am justly entitled and which had been duly recognised by the Supreme Government in the following words. " The adoption was good for the conveyance of private rights, though not for the transfer of the principality." Is this then a just and tenable ground to confiscate the property, of an inno cent child on the plea of the Rani's disloyalty ? The property in question was not included in the so-called private property left in the possession of the Rani at the time when she joined the rebel forces, but it was left apart for me when the annexation of the principality of Jhansi took place in 1854 or about 5 years before the Rani became disloyal. Moreover out of this property a sum of Rs. 1,00,000 was granted by Government to defray the expenses of my *munja* or thread ceremony. Taking these facts into due consideration I humbly submit that all kind and generous hearted members of the British Parliament and lovers of justice such as Mr. O'Donell, Mr. Fawcett, Sir Richard Temple, Mr. Dacosta, Mr. [illegible] &c. &c. as well as enlightened public [illegible] England will be pleased to consider wh[illegible] wholesale confiscation of the property of an [illegible] child by an enlightened Government lik[illegible] Great Britain and Ireland is justifiable on [illegible] or ground already referred to above (vi[illegible] loyalty of the Rani), and taking into co[illegible] my helpless condition they will I hope [illegible] to try their best endeavours to obtain red[illegible] hands of the Liberal Ministry.

* * *

Yours
S. M. Damoda[illegible]

Indore, 13th March, 1883.

Comments on the above are superfluo[illegible] we venture to express a hope that [illegible] Government of Lord Ripon will recon[illegible] case.

II.

BABU NOBIN CHUNDER CHUCKERBUTT[illegible]

This gentleman had served with gr[illegible] as head-assistant of the Commissariat Department. How he has been lately treated will be seen from the following statements contained in his petition to the Viceroy :

That on the 25th April 1881, your pe[illegible] without any previous notice or intimation, [illegible] to the office of the Military Secretary to t[illegible] ment of India, and there in the presence [illegible] Lees, Colonel Burlton, and Mr. Lambert, [illegible] note for rupees one thousand was sho[illegible] petitioner bearing his signature, and he w[illegible] explain how he came by it. Your petitioner at once explained that the note had been paid by [illegible] Mahomed on account of his brother, as part of purchase-money of two small houses sold, situated in the sadar bazar of Sealkote, registered in the name of your petitioner's brother, forming a joint and undivided property. The sale of the houses had been negotiated by your petitioner's brother, and [illegible] with all the formalities of law, and a receipt duly stamped was granted by him which was [illegible] to the authorities. Your petitioner's brother and Wali Mahomed were questioned about the currency note in question and they substantially confirmed everything your petitioner had said. It was a misfortune of your petitioner that advantage was taken of this transaction to fasten a charge of corruption.

That on the 26th April 1881 your petitioner received from Major Parker, Assistant Commissary General a copy of Deputy Commissary General's letter (Ex-A) communicating the orders for your petitioner's suspension without assigning any reason for such suspension, and nothing further then transpired.

That on or about the 17th day 1881, a body of the Calcutta Police, entered your petitioner's house at Calcutta during his absence, and broke open [illegible] receptacles and almirahs and removed all papers, correspondence, accounts and documents. Your petitioner immediately addressed the Deputy Commissioner of Police to know why the Police entered your petitioner's house in his absence and carried away all his papers without making an inventory as is [illegible] the practice, or furnishing a receipt for them. Your petitioner could get no satisfactory reply; all [illegible] able to know was that the papers would be returned soon; up to this date all the papers have not been returned, though the Deputy Commissioner was addressed for the missing ones. It would be presumptuous on the part of your petitioner to point out that such a proceeding would not be tolerated in any civilized country. Magistrates are empowered under certain circumstances to issue search-warrants for the recovery of any stolen property, or of anything likely to elucidate a case before them, or throw light on it, either on their own motion or at the request of any party; but as far as your petitioner was aware there was no charge of any kind or information laid against him before the Deputy Commissioner of Police to warrant that officer issuing an order to search the house. That officer could only justify his proceeding, if at all justifiable, on the ground that a hue and cry being raised against the employes of the Commissariat Department of defrauding the state, he imagined that he would render great service, if he hunted them down and subjected them to all kinds of indignities. If the Police had simply asked for any papers which would enable them to make out a case of fraud against your petitioner or any other person, your petitioner would

have gladly placed them at their disposal, if such were in his possession; but they adopted a course manifestly illegal and unjust, calculated to wound the feelings of your petitioner and degrade him in the estimation of his countrymen. The habits and the customs of the people of this country are somewhat different from those of other nations; by a Hindu his house and home are regarded as sacred and nothing can be more repugnant to his feelings than to see the sanctity of his zenana invaded by police officers without any reasonable or plausible ground, setting aside every security which an individual possesses for his liberty and property. The law, it will probably be said, provides ample remedy for such illegalities and violations of the rules of justice;but your petitioner submits that no compensation which a court is able to award would be an adequate satisfaction for the wrong done to him, and in saying this your petitioner gives expression to the deep feelings of his heart.

That on the 11th February 1882, your petitioner was quite taken by surprise when he received from Major Parker, Assistant Commi-sary General, copy of a letter from the Commissary General (Ex. B.) intimating that the Government of India have directed his dismissal. No reason whatever was assigned for the course adopted or explanation called from him for his conduct.

That on the receipt of the Commissary General's letter, your petitioner applied to that officer for a copy of the order of Government directing his dismissal which was refused.

That a Government servant, who had served for upwards of twenty-five years in an important and responsible post with unimpeachable character and invariably secured the good opinion of all the officers of the department some of whom held the highest posts and rendered eminent services to the state as the accompanying testimonials (Ex C.) will shew, should be dismissed from the service without being made acquainted with the reasons for such dismissal or without being allowed an opportunity to vindicate his character, is completely at variance with the rules of government and justice and most unprecedented in the history of British administration.

Up to this day the poor man does not know why he has been dismissed. He has repeatedly applied to be informed *of* the reasons, which have been as often withheld. He had served long, faithfully, and with the highest credit as the testimonials he holds show. We will give one by way of example:

"It Affords me sincere pleasure on my departure from this Executive charge to testify to the invaluable assistance I have at all times received during the last twenty months from the Head Assistant of the office, Babu Nobin Chunder Chuckerbutty.

Thoroughly conversant with all the business of the department, an excellent accountant, assiduous, able and honest withal, Baboo Nobin Chunder Chuckerbutty could hardly fail to be a good Head Assistant of any Commissariat office. Indeed I am sure I do not go too far in saying, that he has natural ability, singularly sound judgment, high moral rectitude, and thorough respectability sufficient to qualify him for a much higher station in life than he now fills, and calculated to make him an example to his fellow-country-men generally. This is great praise; but, in my opinion, it is well-bestowed.

Morar Ex. Comt. ffice, 20th January 1873. } S. Chalmers, Lt Col., O. A. C. General.

Such a faithful and meritorious servant of Government has been summarily dismissed without being even informed of the reasons for which he has been visited with this condign punishment. As the petitioner himself writes:

"Your Lordship's petitioner would implore your Excellency to reflect for a moment on the situation in which your Lordship's petitioner was placed when he was suspended; he was not allowed to know the precise nature of the charge against him; he was not allowed to know who his accuser was; he was not allowed to know upon what evidence reliable or otherwise the government of India acted. Every thing was kept secret as if it could not bear the light of public opinion, and it is not too much to say that any unprejudiced mind sees at a glance the unjustifiableness of the course pursued and the gross injustice that has been done. Your Lordship's petitioner claimed to remove the suspicion that had crossed the minds of the authorities and even this your Lordship's petitioner regrets was not allowed to him. The judgment of the magistrate who enquired into the charge against Wali Mahomed of giving an illegal gratification to Your Lordship's petitioner amply proved that the charge was a trumped up one as all charges originating with the Police are; still your Lordship's petitioner was treated as a culprit and the salutary maxim that every man is to be deemed innocent until proved guilty was set at naught. Your Excellency will pardon your Lordship's petitioner, if he takes the liberty to add that there is no less inconsistency than injustice in his treatment and there is not a single instance on record in which an officer in the position of your Lordship's petititioner was dismissed from the service without being heard in defence.

We are afraid the Viceroy knows nothing about this case. But the orders of Government as usual have been issued in his name.

III.

The third case comes from the Native State of Kota. The petitioner is one Gossain Konnya Lallji Maharaj of the chief temple of the idol Muthresji at Kota in Rajputana. We give below his petition to the Viceroy:

"This is an appeal against the decision of the Agent to the Governor-General for Rajpootana in a case for forgery committed by the Respondents, and it is humbly prayed, that your Excellency will kindly, on a consideration of the undermentioned facts, reverse the decisions passed by the Officers in the Mofussil, and thereby dispense justice.

1*st*. The Defendants in this case, on the basis of forged documents, imposed upon the Civil Courts, and secured an *exparte* decree from the Court of first instance. In appeal, the Appellate Court, without paying any attention to the grounds of appeal, affirmed the decision of the Lower Court and dismissed the appeal made by your Excellency's petitioner.

The documents on the basis of which the said suit was brought, was a deed of mortgage bearing date the first day of the dark side of moon in the month of Srabun 1919 Sumbut, corresponding with 12th of July 1862 A. D., purporting the same to have been executed by one Moorley Dhur, mortgaging thereby 350 beegahs of land in 3 villages, received as grants from the Moha Rao Saheb of Kotah; but on the arrival of Moorley Dhur at Kotah, some time after the civil suit had been disposed off finally by the Civil Courts, and on being questioned, flatly denied having executed any such mortgage, and to that effect gave a written denial, which the vakeel Pundit Denonauth submitted to His Highness the Moha Rao Saheb, who being satisfied after a careful enquiry to its *bonafide*, as Moorley Dhur stated before the late Munguljee Poorohit, caused it to be submitted through His Highness' vakeel to the then Political Agent Major Powlett, Major Powlett referred the case to the Fouzdaree or Criminal Court for strict enquiry. Accordingly an enquiry was made, and His Highness the Moha Rao Saheb declared the 3 grants to be forgery, and the mortgage deed was also found to be spurious; accordingly the Criminal Court found the deeds to be a piece of downright forgery, and declared by its judgmont, one of the defendants, Nothoo Lall, as the culprit, and referred the case to the Appellate Court for punishment. The Appellate Criminal Bench ordered Nathoo Lall defendant to be imprisoned for 2 years with a fine of Rs. 500, in lien thereof, one year's further imprisonment, and moreover asked the Council to set aside the civil decree fraudulently obtained by the defendants. In dissatisfaction of the said order, an appeal was preferred by Nathoo Lall to the Council, who not only negatived the reference of the Appellate Criminal Court for reversal of the civil decree, but released the defendant and reversed the order of the Lower Court. After all these were done, the Council obtained the sanction of the Agent, and consequently his appeal was not entertained by the Agent. Afterwards an appeal was made to the Agent Governor-General, but he too rejected the appeal, perhaps thinking it to be a civil suit. Subsequently the defendants sued out execution of the said fraudulent decree, and realized the decretal amount with interest up to hand, in the month of Poos of the current year. Now it is prayed, that your Excellency will be kind enough for the ends of justice, on a consideration of the undermentioned grounds, to reverse the order of release, and bring the culprits, Bhuggobutty Bux and Nathoo Lall, to punishment.

The Foreign Office has given the stereotyped reply. His Excellency the Viceroy and Governor-General in Council saw no reason to interfere.

Cases of the above description are numerous, but the petitions to Government are generally summarily dealt with. Not only do the aggrieved seldom get redress, but they have not even the satisfaction of knowing that their petitions meet the eyes of the Viceroy, whom they naturally look up to as the fountain of justice in this country. Of course it cannot be expected that the Viceroy can have time to look into every thing with his own eyes, but surely His Excellency can make some arrangement that every petition of this kind should be carefully scrutivized by some responsible officer before Government orders are passed.

LATEST NEWS AND NOTES.

A CONTEMPORARY states that the Secretary of State has disallowed the Central Board of Control for the local self-government scheme proposed by the Bengal Government. We are not sorry for this, because the Board proposed would have been a mere official bureau.

WE HEAR that His Excellency the Viceroy has vetoed the Hill Coolie Bill lately passed by the Bengal Council. We hope the rumour is true. It was a scandalous Bill, and we only wonder that it was allowed to pass through the Council by such a conscientious and righteous man as Mr. Rivers Thompson.

WE ARE GLAD to learn that the Mulajore *tol* or Sanskrit College of Maharaja Sir Jotindro Mohun Tagore has passed with great credit in Literature, Logic and Hindu law at the last Sanskrit Title Examination.

ONE FACT is worth a thousand speculations. The *Statesman* and the *Indian Mirror* report two cases in which the defendants, three European British subjects, two males and one female, waived their birth-right and elected to be tried by Newab Abdul Lutief and Syud Amir Hossein, the Sealdah and Suburban Magistrates. Do these facts shew that the class of European British subjects, who come before the criminal Courts, have no confidence in Native Magistrates?

WE HAVE received the fourth number of the *Voice of India*. Each successive number is an improvement upon its predecessor. The body of opinion which it contains on the leading topics of the day cannot but be highly acceptable to the British public, for which it is intended.

NONE can regret more than we do the foolish freaks of temper shown by some school-boys on the occasion of the trial of Babu Surendranath Banerjee at the High Court. As some of them have been arrested and placed for trial before the Police Court, we will know how the disturbance originated. But we are sorry to see it magnified into a political demonstration. The *Pioneer's* Calcutta telegram on the subject is a remarkable specimen of this exaggerative style. At the same time we would advise our school-boys not to throw themselves into the whirlpool of politics. It will do them and the country a world of harm.

THE TIMES are out of joint, and in this crisis it is our manifest duty to speak out. It is true that the independent Europeans in this country at the present time have lost their temper and are heaping all sorts of abuse on our devoted heads, that ordinary flesh and blood cannot brook these insults and abuses, that retort is natural, and that the language of retort cannot be measured. We understand all this, but we still think that we lose nothing by moderation. This has always been our principle, though perhaps not much to the liking of that class of our countrymen, whom we may call too ardent politicians. It is needless for us to remind them that abuse is not argument. We are now in a transition state, and if we wish to acquire and retain political power, we must learn prudence and moderation. Those who cannot practise self-restraint are not fit for self-government in matters of administration. We do not by any means wish to fetter criticism of public measures and men—let it be as full, incisive, and effective as you like, but let it be fair, reasonable, and just, and couched in decent and gentlemanly language. Civility costs nothing—moderation adds to but does not take away from the strength of argument. Only last year the Vernacular Press Act

was repealed, and its repeal has immensely increased our responsibilities. We cannot do a greater service to the nation than to demonstrate to our rulers by our action and conduct that we are well worthy of the trust reposed in us. The Anglo-Indians have placed themselves on the wrong box by their intolerance, violence, and aggressiveness, and we have consequently gained a vantage ground which it would be sheer madness on our part to lose. If our ardent friends wish to gibbet to infamy the unscrupulous portion of the European agitators, let them cull elegant extracts from their writings, circulate them extensively in England, and thus shew up their true character instead of returning abuse for abuse.

WE CANNOT sufficiently commend the enterprise of Babu Protap Chunder Roy, who has been publishing and distributing *gratis* the Bengali translations of the Mahavaratha and Ramayana. He has now undertaken the rather bold task of publishing an English translation of the Mahavaratha In a previous issue we noticed his scheme, and it affords us great pleasure to be able to welcome so soon the first breach of his labours. We have received the first number of the *English* series of the translation. We believe the first translation comes from the renowned pen of Professor MaxMuller. Babu Protap Chunder Roy we are told has received the assurance of help from distinguished Anglo-Sanskritists in this country, and as we have faith in his perseverance, we make no doubt that he will both deserve and command success.

WE CONGRATULATE our brethren of Bombay on the successful meeting they have held regarding the Jurisdiction Bill. Bombay is better fitted to speak on the subject than Bengal. The Bill is likely to have a more limited effect in Bombay, because Bombay is less inhabited by Europeans than Bengal, and because there the number of Native Civilians is less than here. Then there is happily no antagonism of feeling in Bombay, although the local Chamber of Commerce is opposed to the Bill. Here the temper on both sides is unfortunately so much excited that it would be simply adding fuel to fire to hold demonstrations on the subject. We have accordingly taken the liberty to advise no action. Bombay has, however, done its part well. The meeting there was conducted with remarkable good sense and moderation. The leading citizens of Bombay took part in the meeting, and the speeches delivered by them show that the assimilation of the educated Indian with the intellectual and political life of the West has been attended with signal success. The meeting demonstrated two important points, 1stly that the Natives do take interest in the Bill, and 2ndly that such a measure is necessary in the interests of justice, and is in consonance with the beneficent policy of our beloved Sovereign. We regret we cannot make room for the speeches for want of space, but we cannot resist the temptation of reproducing the following from Mr. Telang's speech. He thus vindicated the Bengali:

There was, however, one point, gentlemen, made, I believe, at the Calcutta Town Hall, and certainly made in the public Press since then, to which I feel bound to refer. It has been asserted that the Bengalis entertain feelings of hatred and hostility to the British nation. Well, gentlemen, having had the honour, as you are aware, of being appointed to serve on the Education Commission, I had recently to spend a few months in Calcutta. And during the period of my stay there, I came into close, intimate, and frequent contact with the leaders of thought, and the leaders in public affairs of the Bengali nation. And having frequently had frank conversations with many of them, having thus seen them in a short of mental undress, so to speak, I venture to affirm, and to affirm very confidently, that this hatred and hostility is a mere figment of some alarmist brain, and has no existence in reality. (Loud cheers.) I think that believing this, as I do believe it, to be the truth upon the subject, I am bound, if not by any other obligation, at least by gratitude for the kindness which I received from my Bengali brethren while I was among them, to make this statement to correct misapprehension.

The Calcutta petition to the House of Commons asserts that the Bengali is not liked by his brethren in the other provinces, but the above shews what fellow-feeling there is between the Bengali and other natives of India.

WE TAKE from the morning papers the following proceedings of the Native Attorneys of the High Court:

The following resolutions were passed at a meeting of the Native Attorneys of the High Court on Tuesday, the 1st May 1883:—

"That in view of the opinion expressed by Sir Richard Garth, Chief Justice, this meeting resolves to withdraw the resolution No. 3 of the meeting, held on the 6th March last, and the same is hereby withdrawn."

"That a copy of the above resolution be forwarded to the Honorable the Chief Justice, and that the following letter be addressed to his Lordship. That a copy of the resolution be also forwarded to the Advocate-General:—

"THE HONORABLE SIR RICHARD GARTH, KNIGHT, &c., &c.

"My Lord,—I have the honor to forward herewith copy of certain resolutions, passed at a meeting of Hindu gentlemen Attorneys of the High Court, this day.

"In doing so you will be pleased to permit me, on behalf of myself and my colleagues, to point out that your Lordship's observations from the Bench on the 27th ultimo have filled us with pain and surprise.

"We are not aware of having done any thing to merit the strictures, passed by your Lordship on that occasion, and, after the emphatic denial then made by Babu Kally Nath Mitter, it only remains for us, as a body, respectfully but firmly to protest against the observations which fell from your Lordship implying a breach of faith on our part.

"I have the honor to be, my Lord, your obedient servant,

"MURALY DHUR SEN.

"4 Hastings Street, Calcutta, May 1st, 1883."

In reply to the above the Chief Justice has addressed the following letter to the Native Attorneys:

Theatre Road, May 3rd, 1883.

Sir,—I am glad to find that you and your friends have withdrawn the resolution of the 6th March last. I wish that you had done so before Mr. Branson left. I fear that now the public will hardly give you credit for acting from the proper motive.

With regard to the latter portion of your letter, you may be sure that any pain and surprise which you, gentlemen, may have felt at the observations which I made in Court, was at least equalled by the pain and surprise which I experienced on reading the article in the *Hindoo Patriot*, to which I then alluded.

I have always considered the *Hindoo Patriot* as being the newspaper which most correctly represents the views and opinions of the higher class of Native society; and I think that no reasonable man could read that article, without seeing that it conveyed, and was intended to convey, three propositions:—

1st. That I had used my influence and position as Chief justice to put pressure upon you, gentlemen, to withdraw a resolution which you had a right to pass.

2nd. That so far as I am concerned, I saw nothing improper or unprofessional in the resolution; and that I only asked you to withdraw it as a matter of good feeling; and

3rd That you, gentlemen, *had declined to stultify yourselves by taking my advice.*

And so the matter had dropped.

Now you know as well as I do how utterly in all these essential respects the article distorts the truth, and misrepresents my action in the matter, as well as yours, and yet but for the statement which I thought it due to myself and to the profession to make in open Court, that article would have been in circulation throughout the entire community, both Native and European (without any contradiction from you,) as representing what had taken place between you and me.

I am far from saying that you three gentlemen, who directly communicated with me, were yourselves guilty of any bad faith or misrepresentation. I was glad, as I said at the time, to accept in Court the assurance of Baboo Kally Nath Mitter to the contrary. I sincerely trust that you and others at the head of the profession would not be base enough to make such a return for the advice which, in all kindness, I thought it right to give you. But that there was bad faith and misrepresentation somewhere, I think that no one who knows the truth and reads that article, can doubt.

I do the Editor of the *Hindu Patriot* the justice to believe that he did not himself invent that article, I think, I must fairly assume, that it was inserted upon what he considered reliable information, and as representing the views of Native society, and especially of the Native members of the profession upon the subject.

How those views were promulgated, and how they came to be conveyed to the Editor of the *Hindu Patriot*, is a question to which you as well as I may probably be unable to find an answer; and yet the fact, the unhappy fact, remains, that there must have been bad faith and misrepresentation somewhere.

It is, I assure you, with great regret and disappointment that I am forced to come to this conclusion.

I am, dear Sir, faithfully yours,

(Sd.) RICHARD GARTH.

To Babu Muraly Dhur Sen.

We are exceedingly sorry that our paragraph has been the cause of so much misunderstanding. We do not wish to prolong the discussion. We regret much, as we said in our last, that by abstaining from going into details, we unwittingly made our remarks obscure. We need hardly repeat that we did not impute to the Chief Justice any unworthy motive in the matter; on the contrary we said before and say again that His Lordship was actuated by the most honorable and friendly motives. Sir Richard Garth has perhaps good reasons to suspect bad faith somewhere, but as far as we are concerned we can only say that what we had heard was not from one mouth but from many, that it was the common talk of the town, and that it had been noticed in some of the local papers. It did not therefore strike us that the giving the news—and it was only as an item of news we inserted the paragraph—involved a case of bad faith. We are glad that the matter has now been satisfactorily explained and settled.

Advertisements.

Notice.

The undersigned hereby gives notice that on [illegible] day 28th May next, and the following 3 days, [illegible] very costly jewellery and ornaments, as also gold [illegible] silver articles and rich cloths—worth in all a lac [illegible] fifty thousand rupees, will be sold by public au[illegible] near the Mysore Palace Treasury. The auction [illegible] commence precisely at 12 A M., on the above dates.

Persons intending to bid must do so in pe[illegible] Each article of sale will be knocked down to [illegible] highest bidder.

Terms—strictly cash. The successful bidder [illegible] immediately on the sale being declared, pay down [illegible] purchase money and obtain a receipt for the amou[illegible]

Asst. Commr. in charge of Palace Estbm[illegible]
Palace Office, Mysore, 26th April 1883.

Notice.

Pursuant to a decree of the High Court of Ju[illegible] ture at Fort William in Bengal in its Ordinary O[illegible] nal Civil Jurisdiction made in suit No. 8 of 1[illegible] wherein Sreemutty Woomamoye Dossee the chil[illegible] widow of Sittanauth Mullick deceased, is the plai[illegible] and Sorbadhinauth Mullick also called Chocoo [illegible] the only son and heir of Sooruthnauth Mullick is [illegible] defendant, the creditors of the said Sooruth[illegible] Mullick late of No. 57, Lower Circular Road, [illegible] Calcutta, zemindar, who died in the month of De[illegible] ber 1880, are on or before the second of June, 1[illegible] to send to the office of the Registrar of this Cour[illegible] its Original Side, their names, addresses, and des[illegible] tions the full particulars of their claims, a state[illegible] of their accounts and the nature of the securities, [illegible] any, held by them, or in default thereof they will [illegible] peremptorily excluded from the benefit of the [illegible] decree.

Every creditor holding any security may produc[illegible] transmit the some to the Registrar with the particu[illegible] of his claim or shall produce the same before [illegible] Honorable Mr. Justice Norris, in the Court Ho[illegible] on Saturday, the 16th of June next, at the hou[illegible] of 11 o'clock, in the forenoon, being the time appoi[illegible] for adjudicating on the claims.

R. BELCHAMBERS,
Registra[illegible]

REMFRY & REMFRY,
Plaintiff's Solicitors, Calcutta,
High Court Original Jurisdiction,
The 23rd April, 1883.

Notification.

To be peremptorily sold by the Registrar of the High Court of Judicature at Fort William in Bengal in its Ordinary Original Civil Jurisdiction, in his sale-room, in the Court house, on Saturday, the 12th of May next, at the hour of 12 o'clock, at noon, pursuant to the decree of this Court made in suit No. [illegible] of 1882 [wherein Issur Chunder Chunder is pl[illegible] and Hurra Kristo Biswas is defendant] and dat[illegible] 24th of April 1883, the following property namel[illegible]

Lot No. I.—All that three storied brick[illegible] house together with the land on which the sa[illegible] erected containing by estimation three cottah[illegible] one chittack or thereabouts No. 71, formerly N[illegible] 20 Rutton Sircar's Garden Street, in the Town of Cal[illegible] cutta, and bounded on the north by the house of Hurry Prosunno Bhut, on the west by the house and premises of Jeebun Kisto Sett, on the south by the said Rutton Sircar's Garden Street, and on the east by the house of Nrisingha Sett.

The conditions of sale and the abstract of title may be seen at the office of the Registrar, High Court Original Side, or at the office of Messrs. Swinhoe and Chunder the Attornies for the plaintiff on any day before the sale and will be produced at the sale.

R. BELCHAMBERS,
Regist[illegible]

SWINHOE & CHUNDER,
Plaintiff's Attornies, Calcutta,
High Court Original Side,
The 23rd March, 1883.

Wanted a master to teach a few children salary Rs. 15 rising to 25. Apply to P. B.
Care of Post Master.
Monguldai, Assam.

PUBLIC WORKS DEPARTMENT,—BENGAL.

The 17th April 1883.

No. 151.—*Notification.*—Notibe is hereby given that the Lieutenant Governor of Bengal proposes, under section 99 of Act III (B. C.) of 1876, to make the following rules for the guidance of the canal officers appointed for the management of the Sarun Irrigation Scheme.

13, Licenses will be granted on the following terms :—

(*a*)—To persons irrigating an area of not less than half their cultivation, one rupee per maund.

(*b*)—To persons irrigating an area of less than half their cultivation, two rupees per maund.

14 The privileges of guarantors are as follows :—

(1)—A prior claim to a supply of water for irrigation and manufacture during the continuance of their guarantee.

(2)—Each guarantor to have a sub-district, within which he shall act as the agent of Government in managing the affairs of the canal, receiving a commission on his collections of 20 per cent.

(3)—The right to use water for manufacturing purposes, free of charge.

(4)—The right to use water for irrigating lands round his factory to the extent specified in his agreement. If the guarantor does not require water for for his own use to that extent, he may sub-let in order to make up the guaranteed sum.

19. The preceding* rule does not apply to water sub-let by guarantors under the terms of their agreement ; but guarantors shall be bound to submit such returns as may be required by the canal officer regarding water so sub-let.

20. On the 1st of April of each year, or as soon after as practicable, the canal officer will prepare a statement showing ;—

(*a*)—The sum guaranteed.

(*b*)—The amount paid into the treasury on account of guarantee.

(*c*)—Amount collected by guarantor on behalf of Government, and paid into the treasury.

(*d*)—The amount to which the guarantor is entitled as collection expenses, being 20 per cent. on the sum collected over and above the sum guaranteed.

* These proposed rules will cancel rules Nos. 14, 15, and 20, published in Part I of the *Calcutta Gazette* for the 9th March 1881, and now in force.

J. M. HEYWOOD, Lieut.-Col., R.E.,
Joint Secy. to the Govt. of Bengal, P. W. Dept.

* No. 19 of existing rules.

সচিত্র।

প্রবাহিণী।

RENDERED IN BENGALY FROM

MYSTERIES BY REYNOLDS, &C.

রেণাল্‌ড্‌ কৃত রহস্যাবলী (Mysteries of London and Mysteries of the Court,) অবলম্বনে লিখিত আখ্যায়িকা বলী একাদিক্রমে খণ্ডে খণ্ডে প্রতি পক্ষে প্রকাশিত হইতেছে।

প্রথম উচ্ছ্বাস—প্রথম তরঙ্গ।

এককালীন অগ্রিম মূল্য ৩৵০।

ডাক মাসুল বার আনা।

খরচা প্রতি খণ্ড এক আনা। অর্থাৎ ফর্ম্মা ১০ ও পূর্ণ তরঙ্গ (Series) ৬।০ মাত্র। কিন্তু নির্দ্দিষ্ট গ্রাহক হইলে, ফর্ম্মা ৵ ; খণ্ড ১০ ও তরঙ্গ ৩৵০ পড়িবে। এরূপ সুলভ মূল্যে কোন বাঙ্গালা পুস্তক এ পর্য্যন্ত বাহির হয় নাই। রয়াল আট পেজী ফর্ম্মার ১৬০০ পৃষ্ঠায়—২০০ ফর্ম্মায়—বা শতাধিক চিত্র সম্বলিত ১০০ খণ্ডে সমাপ্ত। প্রতি তরঙ্গ বা পূর্ণ আখ্যায়িকা বৎসর মধ্যে শেষ হইবে। অন্ততঃ ২।৵০ পাঠাইলে, নির্দ্দিষ্ট গ্রাহক হইতে পারিবেন। বৈশাখ হইতে তরঙ্গের মূল্য চারি টাকা হইবে।

শ্রীনগেন্দ্রনাথ বন্দ্যোপাধ্যায়।

প্রবাহিণী কার্য্যালয়—৮৯, বারাণসী ঘোষের ষ্ট্রীট, কলিকাতা।

NOTICE.

All remittances by Money Orders, Cheques, Hundis and Drafts made to the Sanskrit Press Depository in my name, should in future be made in the name of Babu Khetternath Halder, the Head Assistant of the above Firm.

CHANDI CHARAN CHATURJI,
Manager.

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H. W. I. WOOD,
Calcutta, 1st May 1883. Secretary.

NOTICE.

PUBLIC WORKS DEPARTMENT, BENGAL.

IRRIGATION BRANCH.

It is hereby notified that the 1st and 2nd Ranges of the Hidgellee Tidal Canal, which were closed for silt clearance have been re-opened for traffic from the 15th April, 1883.

(Sd.) G. F. E. S. NEILL, MAJOR M. S. C.
Under Secretary.

Calcutta, the 1st March, 1883.

CORPORATION OF CALCUTTA.

Sealed Tenders are invited, and will be received by undersigned up to 3 P.M. of the 14th May, 1883, for a supply of indigenous stone for the year 1884.

2. The stone to be from the Rajmahal Hills broken so as to pass freely in every direction through a ring of 2 inches in diameter boated down, and to be stacked in the Municipal Depots at Bag Bazar or Nimtollah.

3. The rate to be entered is per hundred cubic feet by measurement. The quality of the stone must be not inferior to that now being supplied, a sample of which may be seen at the Municipal Depots. A Tender for supplying stone of this quality from any other locality than Rajmahal may be considered. It may be made for 50,000 cubic feet, or any multiple of this quantity.

4. Each tender must be accompanied with sample in sealed bag, and with earnest money of Rs. 500 (five hundred only) for every 50,000 (fifty thousand) cubic feet of the stone tendered. In case of the non-acceptance of the tender earnest money will be returned.

5. The party whose tender is accepted will be required to sign a deed of contract duly stamped and registered at his own expense within one week of the acceptance of tender. In case of failure, the earnest money is to be forfeited without further notice.

6. No further security will be required beyond the earnest money which will be retained for the due fulfilment of the contract.

7. The Commissioner do not bind themselves to accept the lowest or any tender.

8. Any further information may be had on application.

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শ্রীধর্ম্ম মঙ্গল বঙ্গভাষায় এক অপূর্ব্ব মহাকাব্য, উজ্জ্বলতম রত্ন। প্রায় দুই শত বৎসর পূর্ব্বের এ গ্রন্থ এত দিন কীটদষ্ট পুঁথি আকারে মেঘাচ্ছাদিত সূর্য্যের ন্যায় অগৌরবে বিরাজ করিতেছিল, গৌড়ের রাজা ইহার মূল সূত্র, ময়নাধিপতি লাউসেন ইহার নায়ক, ইহাতে বীররস আছে, করুণ রস আছে, প্রণয়রস আছে, কবিতা সকল সতেজ ও সহজ। ইহা পাঠ করিলে পাঠকগণ বুঝিতে পারিবেন, ইহা বাল্মীকি, মিল্‌টন, হোমর, বার্জ্জিলের সমতুল।

এই কয়েক মাস মধ্যে ঘনরামের আশাতিরিক্ত গ্রাহক হইয়াছে। আমরা কখন ভাবি নাই, জনসাধারণ এরূপ আগ্রহসহকারে এ গ্রন্থ পাঠ করিবেন, বাঙ্গালা দেশে প্রাচীন কাব্যগ্রন্থের দুই মাস মধ্যে দুই হাজার গ্রাহক হওয়া সামান্য কথা নহে, এত অধিক গ্রাহক হইয়াছেন বলিয়াই মূল্য আর ৪৲ চারি টাকা করিতে হইল না। এক্ষণে সমুদয় গ্রন্থের মূল্য ২৷৷০ আড়াই টাকা স্থির হইয়াছে, অগ্রিম মূল্য ভিন্ন কাহাকেও ঘনরাম দেওয়া যায় না। নমুনা দেখিতে চাহিলে এক খণ্ডের মূল্য ।০ চারি আনা পাঠাইলেই হইবে, গ্রাহকগণ আমার নামে মণিঅর্ডর দ্বারা টাকা পাঠাইবেন।

কলিকাতা, (কলেজ ষ্ট্রীট) ৪১ নং চাঁপাতলা ফাষ্ট লেন।

শ্রীযোগেন্দ্রচন্দ্র বসু ঘনরাম প্রকাশক।

সোখিলাল এণ্ড কোং জ্বর নাশক সুধা।

ইহা প্লীহা যকৃৎ কম্প ঐকাহিক দ্ব্যাহিক ত্র্যাহিক চাতুর্থিক ইত্যাদি সর্ব্ব প্রকার জ্বরের অব্যর্থ মহৌষধ।

কলিকাতা বড় বাজার দয়েহাটা ৭ নং বাটীতে প্রাপ্য। মূল্য শোল ঔন্স বড় শিশি ১।০, আট ঔন্স ছোট শিশি ৸০ আনা।

আমরা এই ঔষধ বিক্রয় করিবার জন্য স্থানে স্থানে এজেণ্ট নিযুক্ত করিব, যাঁহারা এজেণ্ট হইতে ইচ্ছা করেন তাঁহারা উপরোক্ত ঠিকানায় আমাদের নিকট আসিলে বা পত্র লিখিলে সমস্ত বিবরণ জানিতে পারিবেন।

দ্রব্যগুণ-তত্ত্ব।

আগামী বৈশাখের শেষে পাইকপাড়া নর্শরি হইতে দ্রব্যগুণ তত্ত্ব নামক মাসিক পত্রিকা বাহির হইবে। ইহার আকার ডিমাই ৮ পেজী ২ফর্ম্মা এবং বার্ষিক মূল্য ২৲টাকা মাত্র। গ্রাহক হইবার কালে ১৲টাকা এবং তিন মাস পরে বাকী টাকা দিতে হইবে। অপরাপর বৈদ্য ও ডাক্তারগণের মধ্যে দেশমান্য কবিরাজ গঙ্গাপ্রসাদ সেন, পাইকপাড়ার রাজ-বৈদ্য শ্রীযুক্ত পেয়ারিমোহন কবিরাজ,ডাক্তার ভগবানচন্দ্র রুদ্র এম, এ, এম, ডি প্রভৃতি দ্রব্যগুণ-তত্ত্বের সাহায্য করিবেন।

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28	×	20	×	18	„	85
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JOYGOPAL ROKHIT, C. E.
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